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## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 12, 2002.

I here appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, guardian of this Nation throughout its history, be with Your people today as in the past. Through the power of Your spirit, keep the Members of the United States House of Representatives constant in their service to Your people. Help each to play his or her part in shaping the life and well-being of this Nation. May thoughts be guided by truth and integrity and all determinations conform to Your commands so as to build the public trust while assuring peace.

To You be glory and honor forever and ever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms.

SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute at the end of the legislative day.

### NATIONAL CONSTRUCTION SAFETY TEAM ACT

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 475 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 475

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4687) to provide for the establishment of investigative teams to assess building performance and emergency response and evacuation procedures in the wake of any building failure that has resulted in substantial loss of life or that posed significant potential of substantial loss of life. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. All points of order

against the committee amendment in the nature of a substitute are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 475 is an open rule which provides for 1 hour of general debate, equally divided between the chairman and ranking member of the Committee on Science, on H.R. 4687, the National Construction Safety Team Act. The rule provides that it shall be in order to consider for the purpose of amendment the amendment in the nature of a substitute now printed in the bill.

The rule waives all points of order against the committee amendment in the nature of a substitute and provides that it shall be open for amendment by section.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H4555

Mr. Speaker, this is yet another open rule which affords any Member the opportunity to offer an amendment as long as it complies with the regular rules of the House. However, the rule allows the chairman of the Committee of the Whole to accord priority in recognition to those Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, the rule permits the minority to offer a motion to recommit, with or without instructions.

Mr. Speaker, I would like to commend the gentleman from New York (Mr. BOEHLERT), chairman of the Committee on Science, and the lead Democrat sponsor, the gentleman from New York (Mr. WEINER), along with the gentleman from Texas (Mr. HALL), the ranking member, and all the members of the committee for their hard work and bipartisan efforts to further the use of science in our public policy decisions.

Mr. Speaker, after every plane crash, whether a small, single-engine plane or a large, commercial airliner, a team of investigators arrives on the scene and begins to try and determine how did this happen. These teams of experts are brought together by the National Transportation Safety Board, simply known as the NTSB. These NTSB teams try and determine whether pilot error, mechanical failure, or forces of nature were to blame.

In the end, the main goal of this group of experts is to try and prevent such an incident from happening again. After the horrible collapse of the World Trade Center on September 11, it was realized that the United States needs to develop similar teams of experts that could investigate the structural failure of buildings.

H.R. 4687, the National Construction Safety Team Act, authorizes the development of teams of experts in building construction and engineering.

This legislation establishes a clear procedure for the creation of construction safety teams to investigate building or structural collapses that result in large numbers of deaths. Under H.R. 4687, this task will be given to the National Institute of Standards and Technology.

The national construction safety teams will have several important roles. First, these teams of experts will conduct investigations to determine the likely technical causes for the failure of the building. By finding out why it collapsed, specific recommendations can be made to improve building standards, codes, and construction practices to possibly prevent it from happening again.

These safety teams also will be tasked with determining the technical aspects of evacuation and emergency response procedures. They will be looking at questions such as whether sprinkler systems are adequate or if there are enough stairways to handle a large exodus of people in a real emergency situation.

Finally, upon completion of an investigation, these experts will then recommend research and other appropriate actions needed to improve the structural safety of buildings and improve evacuation and emergency response procedures based on these findings.

Mr. Speaker, this is a good bill and it deserves our support. As many of my colleagues know, this legislation is the product of a number of high-profile hearings, discussions with the administration, the American Society of Civil Engineers, families of the victims of the World Trade Center collapse, as well as many other interested parties.

I urge all of my colleagues to support this straightforward and noncontroversial rule, as well as this bipartisan legislation which will allow us to apply a clear scientific process to prevent the future catastrophic loss of life and property.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague from Ohio for yielding me the customary 30 minutes.

Mr. Speaker, I rise in support of this open rule. The underlying bill is noncontroversial and was passed by voice vote out of the House Committee on Science.

Mr. Speaker, on September 11 we learned many hard lessons about our Nation's vulnerability to attack, and the underlying bill before us today sets out to improve our ability to respond to an attack, especially our ability to investigate building failures that cause a substantial loss of life.

The aftermath of the collapse of the World Trade Center towers revealed serious flaws in how the Federal Government moves forward with these investigations. For instance, first FEMA responded to the Trade Center disaster by sending search and rescue teams to the site. FEMA also employed a team tasked with analyzing information about the sequence of events and failures that resulted in the progressive collapse of the World Trade Center towers. Its goal was to analyze how the structures performed and determine whether changing building codes and design practices might prevent future disasters.

Eventually, FEMA recognized that it did not have the resources or the authority to conduct a comprehensive and thorough investigation; and in January, FEMA asked the National Institute of Standards and Technology to take over the investigation. Before all was said and done, the National Science Foundation was involved as well.

Eventually, despite the extraordinary commitment of the agents and workers investigating the site, confu-

sion became the order of the day. None of these agencies were prepared to conduct a comprehensive and thorough investigation immediately following the collapse of the buildings.

In addition, the Federal efforts that were undertaken to study the building failures were hindered by many impediments: no Federal agency was clearly charged with investigating building failures; nothing ensured that an investigation would begin quickly enough to preserve evidence; no Federal agency had the investigative authority to ensure access to all the needed information; and nothing ensured that the public was kept informed of the progress of the investigation; and inadequate funding limited the efforts that were undertaken.

The measure before us today is modeled on the legislation that created the National Transportation Safety Board and will go a long way toward addressing these problems. First, the act establishes NIST as the lead agency to investigate building failures that have caused a substantial loss of life or that posed significant potential for substantial loss of life. The legislation also requires NIST to deploy a team within 48 hours of a disaster so that the investigation is not hindered by delay.

Additionally, the legislation gives NIST authority to enter the site of the building failure, inspect and move records and materials, issue subpoenas and impound evidence; and moreover, a provision of critical importance to the families of victims would require teams to hold regular public briefings on the status of the investigation in order to ensure that the public is informed.

Finally, to prevent funding limitations from inhibiting future investigation, the legislation authorizes appropriations of \$25 million.

Mr. Speaker, we owe it to the families of the victims to ensure timely and orderly investigation of this tragedy, and I urge favorable consideration of this bill; and, again, Mr. Speaker, I know of no controversy surrounding this measure.

Mr. Speaker, I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Again, this is an open rule and noncontroversial, but a necessary piece of legislation. It sets up a clear process for building investigation and will allow use, upgrade of the safety of existing buildings and future structures. I urge all my colleagues to support this rule and this very, very important piece of legislation.

I want once again to commend the committee and the gentleman from New York (Mr. BOEHLERT), the chairman, and all who have participated in drafting this important piece of legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 0915

The SPEAKER pro tempore (Ms. PRYCE of Ohio). Pursuant to House Resolution 475 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4687.

□ 0915

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4687) to provide for the establishment of investigative teams to assess building performance and emergency response and evacuation procedures in the wake of any building failure that has resulted in substantial loss of life or that posed significant potential of substantial loss of life, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Texas (Mr. HALL) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I approach the task of bringing this bill to the floor with great solemnity. H.R. 4687 is, in many ways, a memorial to those who lost their lives on September 11 and a tribute to their families, who have joined together to advocate for this measure in the Campaign for Skyscraper Safety.

It is fitting, therefore, that we are discussing this bill as Congress pulls together a Department of Homeland Security, another reaction to last fall's attack. Both H.R. 4687 and the Department are intelligent, targeted efforts to discern and apply the lessons of September 11.

While the National Construction Safety Team Act will not do anything as dramatic as help us foil terrorist attacks, it will save lives in a more workaday manner than anti-terrorism legislation.

The idea behind this bill is simple: we cannot make our buildings safer unless we understand what goes wrong when they fail. That has been a basic principle of engineering from its inception, and the Federal Government has been long involved in efforts to learn from building failures. But we learned from our Committee on Science hearings into the investigation that followed the World Trade Center collapse that our investigation system has its own failures. This bill is a carefully crafted attempt to address each and every failure that hampered the investigation into the World Trade Center collapse.

The first problem was that no Federal agency was clearly charged with investigating building failures. The bill solves that problem by giving the National Institute of Standards and Technology clear responsibility to handle the investigations.

Second, nothing ensured that investigations would begin quickly enough to preserve valuable evidence. The bill solves that problem by requiring NIST to act within 48 hours of a building failure.

Third, no Federal agency had the investigative authority it needed to ensure access to all needed information. The bill solves that problem by giving NIST clear authority to enter sites, access documents, test materials, and move evidence, as well as clear authority to issue subpoenas.

Fourth, nothing ensured that the public was kept informed of the progress of the investigation. The bill solves that problem by requiring NIST to provide regular public briefings and to make public its findings and the material that led to those findings.

We have listened to expert witnesses, including the American Society of Civil Engineers, and the Nation owes a great debt of gratitude to the American Society of Civil Engineers, which conducted the Trade Center investigation under the aegis of the Federal Emergency Management Agency. We have responded with a measure targeted precisely to remedy the issues that came to our attention. And we base the bill on a highly successful model: the National Transportation Safety Board, the Federal agency that investigates airline crashes.

I should emphasize this bill is not just about responding to terrorist attacks. It will come into play anytime a building failure has lessons to teach, whether the building failed from a natural disaster or human action, regardless of whether that action was intentional.

So I urge my colleagues to support this measure. It is a simple lifesaving measure. It has the support of the groups who worked to put together our Nation's life safety codes, like the Civil Engineers and the National Fire Protection Association; and it is fully supported by the administration.

There are a lot of thanks due to a lot of people for helping to assemble this important measure. I want to thank the professional staff on both sides of the aisle on this Committee on Science. I want to thank all of my colleagues who invested so much of their time and energy and talent into producing this document, particularly the gentleman from New York (Mr. WEINER), who was a real leader, and my colleagues on the committee, the gentleman from Connecticut (Mr. SHAYS) and the gentleman from New York (Mr. GRUCCI), who have been key right from the beginning in working with us every step of the way. And Sally Regenhard, a wonderful woman, who has been there every step of the way representing the families, guiding us and inspiring us. And Dr. Gene Corley of the American Society of Civil Engineers. What a magnificent job they did under some very difficult circumstances. There are a lot of people who deserve credit for where we are today.

But the basic point is this: we are taking action that, hopefully, will prevent something like this from ever happening again.

Mr. Chairman, I reserve the balance of my time.

Mr. HALL of Texas. Mr. Chairman, I yield myself such time as I may consume.

I want to join the chairman, the gentleman from New York (Mr. BOEHLERT), in strong support of H.R. 4687. Of course, he has well laid out the provisions of it, the need for it, and the action that was taken.

We all look back to September 11, 2001, when our country was subjected to a cowardly attack on the World Trade Center and the Pentagon. These attacks, of course, will rank with any of the great tragedies of American history. As with any tragedy, we need to look for lessons that can help us against possible future tragedies.

I know that we also need to carefully examine our emergency preparedness, our evacuation procedures and emergency responses as well as the structural integrity of our tall buildings. That is a tall order. And H.R. 4687 is the result of careful evaluation of how the various governmental agencies, State, local and Federal, investigated the collapse of the World Trade towers, and also emergency response and evacuation proceedings.

During the course of the hearings and in consultations with professional societies and citizen groups, the Committee on Science discovered the Federal Government's inability to quickly deploy a building investigative team to the World Trade Center site. The committee found valuable data was lost because we had no one with the authority to sequester or to set aside for future observation. In haste, and amidst tragedy and disbelief, trails to analyze were lost.

Citizen groups were angry and suspicious because the government in charge did not really provide public briefings on its building investigative team's activities. Our President reported to us as he could, as he visited the site and did everything he could to cooperate with the officials of the City of New York, as did the entire Nation.

We also discovered, though, that there is not a good system in place to translate the findings of an investigation into a major building collapse and to improve building standards and codes. And, finally, Federal investigative efforts were woefully underfunded to do a thorough and comprehensive job.

So, Mr. Chairman, H.R. 4687 is the Committee on Science's attempt to address these shortcomings. I will not go

through the specific provisions of the bill. Chairman BOEHLERT has done a good job of that. However, this bill provides solutions to each of the problems that we uncovered, and we have placed them in the bill.

The National Construction Safety Team Act is going to enable, I think, the Federal Government to respond more quickly and comprehensively in the event of a major building failure. It is only by studying building disasters that we can improve building design and evacuation and emergency response procedures that ultimately make buildings safer.

I am convinced that some of the actions that this country has taken are working, because we have not had another tragedy to date. And though we are warned repeatedly that one is on its way, I think a lot of what we have done at the local government level, the State government, and the Federal government, all acting in cooperation, may be working.

I want to commend Chairman BOEHLERT, well, I do not want to commend Chairman BOEHLERT to do anything because he does such a good job of leading this committee, but I do want to commend him, and I want to certainly commend my colleagues, the gentleman from New York (Mr. WEINER) and the gentleman from New York (Mr. ISRAEL), for their hard work on this legislation. As New Yorkers, they felt the hurt, they know the tragedy, and they were a lot of the life and breath of this bill as we labored through it and listened to the testimony. I also want to thank Chairman BOEHLERT for working with us in his usual bipartisan fashion.

As I said at the beginning, this is a bill about lessons learned. If we are serious about making our buildings safer against future terrorist attacks, then we ought to pass this legislation.

I yield 5 minutes to the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I thank the gentleman from Texas (Mr. HALL) for his leadership on our side of the aisle, and I want to join in the words he had to say about the gentleman from New York (Mr. BOEHLERT). The chairman has led this committee with great dignity and pursued this issue with thoroughness and with a great compassion and respect for the families of the victims who came to this committee and came to this Congress with a very reasonable request, and that is that we try to do what we can to make buildings safer in the future.

I also want to thank Mike Quear, and Geoff Hockert of my staff, who helped draft this bill.

Mr. Chairman, no one would dispute that the attack on the World Trade Center could not have been anticipated. In many respects, one can only marvel at the skill of the designers of the Twin Towers and the workmanship of thousands of nameless steelworkers and laborers. Thousands of families will enjoy dinner together tonight be-

cause, even under the most unimaginable circumstances, these proud buildings stood tall for more than an hour.

But for the families of those lost, this testament offers little consolation and leaves many questions about the causes of the collapse unanswered. And, sadly, because of the early missteps in the investigation, some of the most vexing questions may never be unraveled.

Thousands of tons of steel were carted away from Ground Zero and were recycled before any expert could examine what could have been telltale clues. Support trusses, fireproofing fragments, and even burnt-out electrical switches that might have given scientists and engineers insight were lost forever, even before an investigation was underway.

These failures mean that we are, even to this day, short on conclusions about design decisions that may have contributed to the deaths of so many firefighters and workers on the top floors.

Should future building avoid the concentration of stairwells that was used in the Twin Towers? Was enough attention given to the communications infrastructure that failed in the 1993 bombing, and tragically left hundreds of emergency workers climbing stairs up while officials on the ground knew that the buildings were about to come down? Did the fireproofing separate from the steel beams because of the intense heat, or did the design of the post-asbestos treatment that is in place in thousands of buildings in this country fail for other reasons?

We cannot bring back those that were lost on September 11, and today there are more than 25,000 mothers, fathers, aunts, uncles, husbands, wives, and loved ones that we thank God escaped that day. But if we want to ensure that the legacy of this tragedy is that future building collapses are avoided or mitigated, we need to do a better job investigating the causes.

We pray that no other plane ever crashes into a tall building. And we hope that an earthquake never rattles our Nation's high-rises. We remain vigilant against threats of a bomb in our city centers.

□ 0930

But just as we are not satisfied to hope that another plane does not crash, we need to create an investigative team like the NTSB, like the National Transportation Safety Board, to jump into action to investigate building collapses, protect and preserve evidence, issue regular briefings and reach conclusions that formalize standards of building design, egress and emergency escape.

The gentleman from New York (Mr. BOEHLERT), whose leadership on this issue has provided comfort to so many victims, and I have worked closely to craft legislation to create this authority. I call particular attention to two reforms contained in this bill.

First, just as the NTSB immediately sequesters evidence involved in a plane crash, our bill creates immediate on-site authority for investigators of building collapses to have access and preservation of important materials. And if necessary, the new panel may subpoena materials. Never again will we see the destruction of material and the legal jousting that marked the scene of the September 11 attack, where even the blueprints of the building were kept from investigators and took weeks to secure.

Secondly, the bill encourages the national construction safety teams to make recommendations to improve the design of buildings, evacuation and emergency plans, and I hope give localities guidance to avoid the tragic pitfalls in communication that befell so many in the World Trade Center.

We cannot mitigate the tragedy that befell so many of my neighbors. Families of the victims, particularly Sally Regenhard and the others of the Skyscraper Safety Campaign, have asked that we do what we can to give meaning to their loss. Today, we pay tribute to those who perished at Ground Zero by taking another step to ensure that we learn the lessons of our past. One thing is certain, we will not stop reaching for the heavens in our lives or in our buildings.

Mr. HALL of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Chairman, I commend the gentleman from Texas (Mr. HALL) and the gentleman from New York (Chairman BOEHLERT) for their work on this important legislation. It was bipartisan from the beginning; and on such an important issue, that is the way it should be.

Mr. Chairman, I lost over 100 constituents in the rubble of the World Trade Center. In the days after September 11, their families wanted to know why our national intelligence and our airport security were not strong enough to withstand the attack. Now their families are asking whether our building, fire and safety codes were strong enough to withstand the attack. They want to know if we learned anything from the collapse of the Federal building in Oklahoma, or did bureaucracy simply file a report on some shelf, only to be opened in the scrutiny of September 11. They want to make sure that the lessons lost on September 11 will never be lost again.

Since September 11, we have responded to the assault on the World Trade Center and the Pentagon in many ways. Militarily, we have eviscerated al Qaeda. We have replaced the Taliban theocracy with a secular interim government that will lead Afghanistan to democracy, we have started to revamp our airport security systems, we have passed the Comprehensive Bioterrorism Act and the PATRIOT Act.

On Capitol Hill, we have erected steel barricades and shatterproof glass to

protect Members of Congress; but we are still asking our police, our fire, and our emergency workers around the country to risk their lives running into buildings without really knowing what they need to know about the technical conditions of those buildings.

We need to know what can be done to make our buildings more structurally sound and control the intense fires caused by airplanes or bombs, and what precautions should be taken to minimize the weakening of steel, even under the most catastrophic conditions.

Mr. Chairman, I went to the wreckage of the World Trade Center with President Bush a few days after the attack. We have an obligation to those lost in that rubble and to everyone who enters a skyscraper in this new age of terrorist warnings to shine some light, to get some answers, and to act on what we have learned. Protecting our skyscrapers and economic security is just as important an issue as flying F-16s over the Capitol Building in Washington.

That is why the gentleman from New York (Mr. BOEHLERT), the gentleman from New York (Mr. WEINER), and I have asked the Office of Management and Budget to allocate the \$40 million needed to complete a comprehensive study. When the Committee on Science held a hearing to study the progress of the investigation of the collapse, there was unanimity among the witnesses on the need for a comprehensive assessment and research agenda to address evacuation procedures, emergency response, and structural analysis of the World Trade Center.

We need to give scientists the resources that they need to make and conclude this full, comprehensive study.

Mr. Chairman as the gentleman from New York said, we were not ready for a building disaster like the one at the World Trade Center. This legislation will help us find the answers that our families are looking for and prepare us for a more secure future. We will always look at the site of the World Trade Center and ask why. Now it is our obligation to know how, and this bill gives us the tools.

Mr. BOEHLERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I cannot emphasize enough the sensitivity with which the committee handled this very important assignment and the leadership provided by the gentleman from New York (Mr. WEINER), the gentleman from New York (Mr. ISRAEL), the gentleman from Texas (Mr. HALL), and the gentleman from Connecticut (Mr. SHAYS), whom I am about to yield time to. They were very sensitive and compassionate in dealing with the families and helped to craft a bill that we can all be proud of.

Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I rise in support of H.R. 4687, the National Construction Safety Team Act. The reason why I think this bill is so well drafted and so well thought out is because of the work of both the chairman and the ranking member, along with the extraordinary Science Committee staff.

When we first began these hearings, I thought, "Wait a second, we had two gigantic, wide-body planes filled with fuel imploding in these buildings? What would Members expect?"

But as we began this investigation, we realized there were a lot of things we could learn from the collapse of these buildings. It is sad and unfortunate that no one was in charge of this investigation. Because no one was empowered to be in charge, we could not gain access to some of this material right away to understand how this building, for instance, imploded. It was fascinating for me to review the fire escape options. Had they not all been concentrated in one place, maybe more people could have gotten out.

We learned that materials and building construction made a difference. Studying building No. 7, a building over 40 stories tall, while it burned indefinitely and then basically collapsed was an incredible opportunity for us to discover a number of things about building materials.

The collapse of the World Trade Center forever changed the landscape in New York City. In Connecticut's fourth district alone, over 60 constituents perished in the attacks, and the lives of their families, friends and colleagues will never be the same again.

When both buildings imploded, I was unfortunately brought to remember what had happened in Bridgeport, Connecticut, shortly before I was elected in 1987. The L'Ambiance building in Bridgeport, a 16-story apartment building, collapsed when 16 concrete slabs crashed to the ground. We lost 28 construction workers.

The collapse of L'Ambiance was due in large measure to poor construction practices. The tragedy made clear the need to improve the inspection and reporting requirements for building construction—which we did.

I think what we are doing here does so much more to guarantee in the future we will build better buildings. In the future when there is a building collapse, we will have procedures to govern the investigation and understand what caused the collapse. And just like when an airplane crash takes place, we will understand why it happened and how we can prevent it from happening again.

I have tremendous respect for what the Committee on Science has done. There has not been a lot of press on this issue, not a lot of attention to the extent I think it deserves, but from this horrible experience we have learned so much and will have the ability in the future to take command of a site and understand what needs to be done. I thank the chairman and the ranking member for their extraordinary work, and for the work of the

staff, and I urge my colleagues to support this important legislation.

Mr. Chairman, I rise in support of H.R. 4687, the National Construction Safety Team Act.

The collapse of the World Trade Center forever changed the landscape in New York City. In Connecticut's Fourth district alone, over 60 constituents perished in the attacks on the Twin Towers; and the lives of their families, friends and colleagues will never be the same again.

As I watched in horror as the towers collapsed, I was reminded of the 1987 collapse of L'Ambiance in Bridgeport, Connecticut. L'Ambiance was a 16-story apartment building which collapsed when 16 concrete slabs crashed to the ground, killing 28 construction workers.

The collapse of L'Ambiance was due in large measure to poor construction practices. The tragedy made clear the need to improve the inspection and reporting requirements for building construction—when we did.

As we continue to fight the war on terrorism and strive to prevent future conventional biological, chemical and nuclear attacks, we must also find more effective ways to respond to disasters.

The study of the World Trade Center collapse made clear that we must improve procedures for investigating building collapses. H.R. 4687 will clarify who is in charge and their respective responsibilities in case of future disasters.

This legislation grants the National Institute of Standards and Technology (NIST) authorities similar to those of the National Transportation Safety Board, and establishes a procedure to govern all future building disasters. It grants NIST access and control of the disaster site, subpoena power and the ability to move and preserve key evidence.

I commend Chairman BOEHLERT for his leadership on this issue, and I urge my colleagues to support this important legislation.

Mr. HALL of Texas. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. BOEHLERT. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GRUCCI), someone who has been with us every step of the way, a very valuable member of the Committee on Science.

Mr. GRUCCI. Mr. Chairman, I thank the gentleman from New York (Mr. BOEHLERT) for his steadfast leadership on this important issue; and I thank the ranking member, the gentleman from Texas (Mr. HALL), for his leadership as well.

Mr. Chairman, my congressional district lies just 45 miles from Ground Zero. My constituents were the first responders, opening up their emergency rooms, volunteering their rescue services to help mothers and fathers, brothers and sisters, friends, and even strangers, all that were trapped in the rubble of the World Trade Center on that morning of September 11.

America sat with fear and awe, our eyes captivated by the sight of these once-great towers reduced to a pile of smoking debris. But as the hallowed ground of Lower Manhattan is cleared of the rubble and America attempts to

heal from the horror of September 11, we continue to work together to find what answers can be mustered from this tragedy and ask the critically important questions to find out how these towers failed.

This key legislation, the National Construction Safety Team Act, will give the National Institute of Standards and Technology clear authority and responsibility, as well as the necessary legal tools, to investigate building failures. These tools allow for a complete understanding and study into why a building fails and how to ensure that it never happens again.

Mr. Chairman, the crash of TWA Flight 800 was yet another tragic event that resulted in substantial loss of life. In order to learn what happened, the National Transportation Safety Board was sent to the scene to begin a full investigation. As a local leader at that time, I saw firsthand the vital importance of this effort. But in the collapse at Ground Zero, there was no clear mandate to what Federal agents would lead an investigation into the buildings' failure. This confusion cannot happen again.

H.R. 4687 clarifies this process and makes certain that NIST has the authority to study building collapse. I am proud to be an original cosponsor of this legislation and place my full support behind the bill. I urge Members to join me in supporting this legislation. The tragedy that took place at the World Trade Center was one of unimaginable magnitude. Now 10 months after the tragedy of September 11, we continue to work together to see that a tragedy like this never happens again.

Mr. Chairman, I thank the gentleman from New York (Mr. BOEHLERT) for his leadership, and thank him for his commitment to New York.

Mr. BOEHLERT. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise in support of H.R. 4687, the National Construction Safety Team Act, and I thank the gentleman from New York (Mr. WEINER) as well as the gentleman from New York (Mr. ISRAEL) for their work on this important legislation.

September 11 changed New York and changed our world. Since September 11, volunteers and scientific experts have traveled to Ground Zero in the name of recovery and understanding. These workers, volunteers and experts have all pushed themselves and their skills to the ultimate limit to deal with an unusually grave situation.

In particular, the National Institute of Standards and Technology had to deftly work with a myriad of concerns and concerned New Yorkers. People like Arthur Taub and Sally Regenhard of Co-op City, who had concerns about the NIST investigation. Mr. Taub and Ms. Regenhard were among thousands of family members, both grieving and seeking answers.

NIST has worked with constituents who wanted answers and who had infor-

mation. Even seasoned NIST employees admitted they were covering new ground as no one could ever have imagined such an event as September 11.

In the immediate aftermath of 9-11, NIST had to try to do its job amidst emergency responders, police officers, and incomprehensible losses. In this extraordinarily challenging situation, critical evidence like beams, steel work and cables, were being carted off before the NIST team had a time to catalog or identify them. Given the fact that the scope of this tragedy had never been seen before, it is understandable that this investigation would be less than ideal. However, it is important that we learn from this tragedy.

There are several lessons to be learned from September 11. One lesson is the importance of a swift and thorough investigation of a building failure. NIST must have access to building debris as soon as it is safe to enter a site, and they must be able to move and preserve critical evidence. This bill gives NIST that authority.

Looking toward the future, it is important to do all we can to prevent a building failure of any kind from ever happening again. This bill will allow us to obtain information to help prevent building failures in the future.

□ 0945

It is important for us to swiftly and thoroughly respond to the community when buildings fail. God forbid if they fail like this again. This bill does that, and more. I urge my colleagues to support H.R. 4687.

Mr. Chairman, I thank the ranking member as well as the chairman for this fine piece of work.

Mr. LARSON of Connecticut. Mr. Chairman, I rise today in support of a measure that will end up saving many lives by allowing America's foremost experts in the area of structural collapses to conduct inquiries with adequate investigative authorities, and thereby allowing the American people to learn lessons that can be applied to future building construction and emergency procedures. I speak of the bill before us today, the National Construction Safety Team Act, H.R. 4687, of which I am a proud original sponsor and on which I have been working with my colleagues on the Science Committee for the past few months. This issue was first brought to my attention by Ms. Monica Gabrielle from my home State of Connecticut, who lost her husband, Richard, as a result of the collapse of 2 World Trade Center. As part of the Skyscraper Safety Campaign, Ms. Gabrielle's efforts to bring this issue to the attention of me and to other Members of Congress were invaluable in getting the Science Committee and now the House to act on this important legislation. Her efforts, and those of the Skyscraper Safety Campaign, to ensure that we know all we need to know about the structural collapse of the World Trade Center, the subsequent investigation, and to make sure that any recommendations are followed through and implemented so that we can avoid preventable deaths in the future are the principle reason we are voting today on this bill. And for that they should be mentioned here and praised. Thank you Ms. Gabrielle.

I also want to specifically commend the efforts of two of my colleagues on the Science Committee, Chairman BOEHLERT and Mr. WEINER of New York. Their tireless efforts on behalf of the families of the victims who died on that terrible day last September is awe-inspiring.

One of the unexpected and tragic lessons we learned from the attacks on the World Trade Center is that the Federal government is ill-equipped to respond quickly to disasters and discover the lessons that building failures can teach—lessons that could save many lives in the future.

In the case of the World Trade Center, the Federal Emergency Management Agency (FEMA) was the Federal agency primarily responsible for responding to the disaster. A key component of that response was the deployment of a team of experts in engineering, design, construction, and building codes to investigate the causes of the collapse of the buildings and determine what lessons could be learned from the disaster.

Unfortunately, FEMA's investigative team encountered roadblocks from the beginning. It was not deployed as rapidly as it should have been. It was unable to stop the recycling of many of the steel beams that had fallen from the towers and that could have provided valuable clues as the sequence of events that led to the collapse of the Trade Center towers. It was unable to obtain the blueprints for the buildings until almost 4 months after the collapse, and it was never given access to other important documents that could have been useful for the investigation.

As a result, FEMA requested that the National Institute of Standards and Technology (NIST) conduct a second, more extensive investigation. NIST has the only Federal laboratory dedicated to research on building design and fire and has existing statutory authority for conducting investigations into the structural failures.

However, NIST does not currently have those authorities, and this bill provides that authority. It would require new authorities to conduct an effective investigation, so that lives can be saved in the future. Such authorities would be akin to those of the National Transportation Safety Board (NTSB) which is authorized by statute to enter the site of airplane crashes, preserve evidence, and issue subpoenas to witnesses or for documents to facilitate its investigation.

I am very proud to have worked on this bill with my colleagues for the Science Committee and as we prepare to vote on it, I urge my colleagues to consider the impact this legislation will have in saving lives in the future, and therefore I urge them to support it. We owe this to the victims of the events of September 11, their families, and the American people.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of HR 4687. As an original cosponsor of this legislation, I want to thank the leadership Chairman BOEHLERT and Ranking Member HALL for bringing this issue forward and I strongly urge my colleagues to pass this important piece of legislation. On September 11th, there were no Republicans or Democrats in the rubble, only Americans and I am proud to stand here with my colleagues from both parties to honor their memory and support this bill.

Over the past few months, the Science Committee has heard disturbing testimony



about the investigation into the reasons for the catastrophic building failure at the World Trade Center. We have learned that there was no federal agency clearly in charge of the investigation nor anything to assure it began in a timely fashion. Worse still, when FEMA was given authority to investigate, they lacked critical access to information, documents and materials and no legal authority to compel cooperation. Finally, the public was frequently kept out of the loop leading to confusion and resentment among victim's friends and families.

We listened closely to these concerns and have responded with a precise and targeted remedy. Using the National Transportation Safety Board as a model, we have proposed the creation of a National Construction Safety Team to investigate catastrophic collapse complete with subpoena power, investigatory authority, and a clear chain-of-command under the direction of the National Institute of Standards and Technology. We are firmly establishing who's in charge of future investigations with clear mandates for action, without impeding search and rescue operations.

In addition, we are supporting additional research by the NIST into the technical causes of the World Trade Center collapse and other fire safety issues in an attempt to provide the necessary research for future building safety codes. NIST is the premier federal laboratory for research in building design and safety and is uniquely positioned to conduct the extensive study required to fully understand the World Trade Center disaster and thereby prevent future collapses.

Finally, while I applaud the efforts and support of my colleagues, I caution them that it may not be enough. As this work goes forward, we will likely come up with more questions than answers and as NIST uncovers deficiencies in our building designs, they may also discover gaps in our knowledge. New studies and new facilities may be needed to fill these voids and those investigations may require a new commitment. Today we take an important first step, and I hope I can count on my colleagues to be there when we take the next one.

Mr. GILMAN. Mr. Chairman, I rise today in strong support of H.R. 4687, the National Construction Safety Act. I urge my colleagues to support this important measure.

This legislation authorizes the National Institute of Standards and Technology (NIST) within the Department of Commerce to establish national construction safety teams to investigate the structural causes of building failures that cause substantial loss of life. This measure authorizes the appropriation of \$75 million over 3 years for this purpose. The NIST also will be allowed to accept and spend monetary gifts to support the teams.

Mr. Chairman, this measure was drafted in response to the difficulties encountered by those who sought to investigate the collapse of the World Trade Center buildings last September 11th. It has been designed to address every problem encountered by those investigators, including bureaucratic confusion, a lack of investigative tools and excessive restrictions on the flow of information.

We know why the World Trade Center Towers collapsed. This bill seeks to ensure that such an event is never repeated. By providing NIST with the authority it needs to swiftly carry out future investigations, H.R. 4687 will help

that organization develop an institutional knowledge base to improve its response to future tragedies, and hopefully to head off that alternative altogether. Moreover, the legislation will also help both NIST and the greater architectural and engineering communities improve their existing designs with the goal of developing better buildings in the future.

Accordingly, I urge my colleagues to give this measure their strong support.

Mr. BOEHLERT. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of amendment, and each section is considered read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the "National Construction Safety Team Act".*

Mr. BOEHLERT. Mr. Chairman, I ask unanimous consent that the remainder of the bill be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the remainder of the bill is as follows:

#### **SEC. 2. NATIONAL CONSTRUCTION SAFETY TEAMS.**

(a) *ESTABLISHMENT.*—The Director of the National Institute of Standards and Technology (in this Act referred to as the "Director") is authorized to establish National Construction Safety Teams for deployment after events causing the failure of a building or buildings that has resulted in substantial loss of life or that posed significant potential for substantial loss of life. To the maximum extent practicable, the Director shall establish and deploy a Team within 48 hours after such an event. The Director shall promptly publish in the Federal Register notice of the establishment of each National Construction Safety Team.

##### *(b) PROCEDURES.*—

(1) *DEVELOPMENT.*—Not later than 3 months after the date of the enactment of this Act, the Director, in consultation with the United States Fire Administration and other appropriate Federal agencies, shall develop procedures for the establishment and deployment of National Construction Safety Teams. The Director shall update such procedures as appropriate. Such procedures shall include provisions—

(A) regarding conflicts of interest related to service on the Team;

(B) defining the circumstances under which the Director will establish and deploy a National Construction Safety Team;

(C) prescribing the appropriate size of National Construction Safety Teams;

(D) guiding the disclosure of information under section 8;

(E) guiding the conduct of investigations under this Act;

(F) identifying and prescribing appropriate conditions for the provision by the Director of additional resources and services National Construction Safety Teams may need;

(G) to ensure that investigations under this Act do not impede and are coordinated with any search and rescue efforts being undertaken at the site of the building failure;

(H) for regular briefings of the public on the status of the investigative proceedings and findings;

(I) guiding the National Construction Safety Teams in moving and preserving evidence as described in section 5(a)(4), (b)(2), and (d)(4);

(J) providing for coordination with Federal, State, and local entities that may sponsor research or investigations of building failures, including research conducted under the Earthquake Hazards Reduction Act of 1977; and

(K) regarding such other issues as the Director considers appropriate.

(2) *PUBLICATION.*—The Director shall publish promptly in the Federal Register final procedures, and subsequent updates thereof, developed under paragraph (1).

#### **SEC. 3. COMPOSITION OF TEAMS.**

National Construction Safety Teams shall be led by an individual named by the Director. National Construction Safety Team members shall include at least 1 employee of the National Institute of Standards and Technology and shall include other experts who are not employees of the National Institute of Standards and Technology, who may include private sector experts, university experts, representatives of professional organizations with appropriate expertise, and appropriate Federal, State, or local officials.

#### **SEC. 4. FUNCTIONS OF TEAMS.**

National Construction Safety Teams shall—

(1) conduct investigations to establish the likely technical cause or causes of the building failure;

(2) evaluate the technical aspects of evacuation and emergency response procedures;

(3) recommend specific improvements to building standards, codes, and practices based on the findings made pursuant to paragraphs (1) and (2); and

(4) recommend research and other appropriate actions needed to improve the structural safety of buildings, and improve evacuation and emergency response procedures, based on the findings of the investigation.

#### **SEC. 5. AUTHORITIES.**

(a) *ENTRY AND INSPECTION.*—In investigating a building failure under this Act, members of a National Construction Safety Team, and any other person authorized by the Director to support a National Construction Safety Team, on display of appropriate credentials provided by the Director, may—

(1) enter property where a building failure being investigated has occurred, or where building components, materials, and artifacts with respect to the building failure are located, and do anything necessary to conduct the investigation;

(2) inspect any record (including any design, construction, or maintenance record), process, or facility related to the investigation;

(3) inspect and test any building components, materials, and artifacts related to the building failure; and

(4) move such records, components, materials, and artifacts as provided by the procedures developed under section 2(b)(1).

(b) *AVOIDING UNNECESSARY INTERFERENCE AND PRESERVING EVIDENCE.*—An inspection, test, or other action taken by a National Construction Safety Team under this section shall be conducted in a way that—

(1) does not interfere unnecessarily with services provided by the owner or operator of the building components, materials, or artifacts, property, records, process, or facility; and

(2) to the maximum extent feasible, preserves evidence related to the building failure, consistent with the ongoing needs of the investigation.

(c) **COORDINATION.**—

(1) **WITH SEARCH AND RESCUE EFFORTS.**—A National Construction Safety Team shall not impede, and shall coordinate its investigation with, any search and rescue efforts being undertaken at the site of the building failure.

(2) **WITH OTHER RESEARCH.**—A National Construction Safety Team shall coordinate its investigation, to the extent practicable, with qualified researchers who are conducting engineering or scientific (including social science) research relating to the building failure.

(3) **MEMORANDA OF UNDERSTANDING.**—The National Institute of Standards and Technology shall enter into a memorandum of understanding with each Federal agency that may conduct or sponsor a related investigation, providing for coordination of investigations.

(d) **INTERAGENCY PRIORITIES.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) or (3), a National Construction Safety Team investigation shall have priority over any other investigation of any other Federal agency.

(2) **NATIONAL TRANSPORTATION SAFETY BOARD.**—If the National Transportation Safety Board is conducting an investigation related to an investigation of a National Construction Safety Team, the National Transportation Safety Board investigation shall have priority over the National Construction Safety Team investigation. Such priority shall not otherwise affect the authority of the Team to continue its investigation under this Act.

(3) **CRIMINAL ACTS.**—If the Attorney General, in consultation with the Director, determines, and notifies the Director, that circumstances reasonably indicate that the building failure being investigated by a National Construction Safety Team may have been caused by a criminal act with intent to cause the building failure, the National Construction Safety Team shall relinquish investigative priority to the appropriate Federal law enforcement agency. The relinquishment of investigative priority by the National Construction Safety Team shall not otherwise affect the authority of the Team to continue its investigation under this Act.

(4) **PRESERVATION OF EVIDENCE.**—If a Federal law enforcement agency suspects and notifies the Director that a building failure being investigated by a National Construction Safety Team under this Act may have been caused by a criminal act with intent to cause the building failure, the National Construction Safety Team, in consultation with the Federal law enforcement agency, shall take necessary actions to ensure that evidence of the criminal act is preserved.

**SEC. 6. BRIEFINGS, HEARINGS, WITNESSES, AND SUBPOENAS.**

(a) **GENERAL AUTHORITY.**—The Director, on behalf of a National Construction Safety Team, may conduct hearings, administer oaths, and require, by subpoena and otherwise, necessary witnesses and evidence as necessary to carry out this Act.

(b) **BRIEFINGS.**—National Construction Safety Teams shall hold regular public briefings on the status of investigative proceedings and findings.

(c) **PUBLIC HEARINGS.**—During the course of an investigation by a National Construction Safety Team, the National Institute of Standards and Technology may, if the Director considers it to be in the public interest, hold a public hearing for the purposes of—

(1) gathering testimony from witnesses; and  
(2) informing the public on the progress of the investigation.

(d) **PRODUCTION OF WITNESSES.**—A witness or evidence in an investigation under this Act may be summoned or required to be produced from any place in the United States. A witness summoned under this subsection is entitled to the same fee and mileage the witness would have been paid in a court of the United States.

(e) **ISSUANCE OF SUBPOENAS.**—A subpoena shall be issued under the signature of the Director but may be served by any person designated by the Director.

(f) **FAILURE TO OBEY SUBPOENA.**—If a person disobeys a subpoena issued by the Director or a National Construction Safety Team under this Act, the Director may bring a civil action in a district court of the United States to enforce the subpoena. An action under this subsection may be brought in the judicial district in which the person against whom the action is brought resides, is found, or does business. The court may punish a failure to obey an order of the court to comply with the subpoena as a contempt of court.

**SEC. 7. ADDITIONAL POWERS.**

In order to support National Construction Safety Teams in carrying out this Act, the Director may—

(1) procure the temporary or intermittent services of experts or consultants under section 3109 of title 5, United States Code;

(2) request the use, when appropriate, of available services, equipment, personnel, and facilities of a department, agency, or instrumentality of the United States Government on a reimbursable or other basis;

(3) confer with employees and request the use of services, records, and facilities of State and local governmental authorities;

(4) accept voluntary and uncompensated services;

(5) accept and use gifts of money and other property;

(6) make contracts with nonprofit entities to carry out studies related to purpose, functions, and authorities of the National Construction Safety Teams; and

(7) provide nongovernmental members of the National Construction Safety Team reasonable compensation for time spent carrying out activities under this Act.

**SEC. 8. DISCLOSURE OF INFORMATION.**

(a) **GENERAL RULE.**—Except as otherwise provided in this section, a copy of a record, information, or investigation submitted or received by a National Construction Safety Team shall be made available to the public on request and at reasonable cost.

(b) **EXCEPTION.**—Subsection (a) does not require the release of information described by section 552(b) of title 5, United States Code, or protected from disclosure by any other law of the United States.

(c) **PROTECTION OF VOLUNTARY SUBMISSION OF INFORMATION.**—Notwithstanding any other provision of law, a National Construction Safety Team, the National Institute of Standards and Technology, and any agency receiving information from a National Construction Safety Team or the National Institute of Standards and Technology, shall not disclose voluntarily provided safety-related information if that information is not directly related to the building failure being investigated and the Director finds that the disclosure of the information would inhibit the voluntary provision of that type of information.

(d) **PUBLIC SAFETY INFORMATION.**—A National Construction Safety Team and the National Institute of Standards and Technology shall not publicly release any information it receives in the course of an investigation under this Act if the Director finds that the disclosure of that information might jeopardize public safety.

**SEC. 9. NATIONAL CONSTRUCTION SAFETY TEAM REPORT.**

Not later than 90 days after completing an investigation, a National Construction Safety Team shall issue a public report which includes—

(1) an analysis of the likely technical cause or causes of the building failure investigated;

(2) technical recommendations for changes to or the establishment of evacuation and emergency response procedures;

(3) recommended specific improvements to building standards, codes, and practices; and

(4) recommendations for research and other appropriate actions needed to help prevent future building failures.

**SEC. 10. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACTIONS.**

After the issuance of a public report under section 9, the National Institute of Standards and Technology shall comprehensively review the report and, working with the United States Fire Administration and other appropriate Federal and non-Federal agencies and organizations—

(1) conduct, or enable or encourage the conducting of, appropriate research recommended by the National Construction Safety Team; and

(2) promote the appropriate adoption by the Federal Government, and encourage the appropriate adoption by other agencies and organizations, of the recommendations of the National Construction Safety Team with respect to—

(A) technical aspects of evacuation and emergency response procedures;

(B) specific improvements to building standards, codes, and practices; and

(C) other actions needed to help prevent future building failures.

**SEC. 11. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ANNUAL REPORT.**

Not later than February 15 of each year, the Director shall transmit to the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a summary of the investigations conducted by National Construction Safety Teams during the prior fiscal year;

(2) a summary of recommendations made by the National Construction Safety Teams in reports issued under section 9 during the prior fiscal year; and

(3) a description of the actions taken by the National Institute of Standards and Technology during the prior fiscal year in response to reports issued under section 9.

**SEC. 12. ADVISORY COMMITTEE.**

(a) **ESTABLISHMENT AND FUNCTIONS.**—The Director, in consultation with the United States Fire Administration and other appropriate Federal agencies, shall establish an advisory committee to advise the Director on carrying out this Act and to review the procedures developed under section 2(b)(1) and the reports issued under section 9.

(b) **ANNUAL REPORT.**—On January 1 of each year, the advisory committee shall transmit to the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) an evaluation of National Construction Safety Team activities, along with recommendations to improve the operation and effectiveness of National Construction Safety Teams; and

(2) an assessment of the implementation of the recommendations of National Construction Safety Teams and of the advisory committee.

(c) **DURATION OF ADVISORY COMMITTEE.**—Section 14 of the Federal Advisory Committee Act shall not apply to the advisory committee established under this section.

**SEC. 13. ADDITIONAL APPLICABILITY.**

The authorities and restrictions applicable under this Act to the Director and to National Construction Safety Teams shall apply to the activities of the National Institute of Standards and Technology in response to the attacks of September 11, 2001.

**SEC. 14. AMENDMENT.**

Section 7 of the National Bureau of Standards Authorization Act for Fiscal Year 1986 (15 U.S.C. 281a) is amended by inserting “, or from an investigation under the National Construction Safety Team Act,” after “from such investigation”.



**SEC. 15. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this Act \$25,000,000 for each of the fiscal years 2003 through 2005, to remain available until expended.

AMENDMENT OFFERED BY MR. BOEHLERT

Mr. BOEHLERT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BOEHLERT:

Page 4, line 24, insert: "Team members who are not Federal employees shall be considered Federal Government contractors." after "or local officials."

Page 5, line 7, insert ", as necessary," after "recommend".

Page 5, line 10, insert "any" after "recommend".

Page 8, lines 9 and 10, strike "with intent to cause the building failure".

Page 8, lines 21 and 22, strike "with intent to cause the building failure".

Page 10, line 8, strike "the Director" and insert "the Attorney General, acting on behalf of the Director."

Page 11, line 7, insert ", to the extent provided in advance in appropriations Acts" after "and other property".

Page 13, line 19, insert "(consistent with existing procedures for the establishment of building standards, codes, and practices)" after "promote".

Page 16, after line 6, insert the following new section:

**SEC. 15. CONSTRUCTION.**

Nothing in this Act shall be construed to confer any authority on the National Institute of Standards and Technology to require the adoption of building standards, codes, or practices.

Page 16, line 7, redesignate section 15 as section 16.

Page 16, line 10, strike "\$25,000,000" and insert "such sums as may be necessary".

Mr. BOEHLERT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOEHLERT. Mr. Chairman, this is a manager's amendment that clarifies a number of issues in the bill. It reflects the discussions between the committee and the administration, especially the White House and the Department of Commerce. It also includes language worked out with the Committee on Appropriations. So I appreciate the willingness of both the White House and the gentleman from Florida (Chairman YOUNG) of the Committee on Appropriations to work with us to bring this bill to the floor with their support.

This is an en bloc amendment that clarifies or alters several different sections of the bill.

First, the amendment clarifies that members of investigative teams should be treated as contract employees, thereby shielding them from liability.

Second, it clarifies that team members not recommend code changes or further research in the unlikely event that they do not believe any code changes or further research is necessary.

Third, it expands the types of criminal investigations that would require NIST to stop serving as the lead agency at the site of the building collapse.

Fourth, the amendment clarifies how certain decisions of the Director of NIST can be enforced.

Fifth, it clarifies that all expenditures in the bill are subject to appropriations.

Sixth, it clarifies in two separate places that the bill gives NIST no regulatory authority over the adoption of building standards, codes and practices.

Finally, it changes the authorization to "such sums," which is fitting, given that it is impossible to predict how many investigations will be conducted in any given year. We hope there will not be any. There are no ongoing expenses associated with the bill.

Mr. Chairman, this is a straightforward and carefully negotiated amendment, agreed to in a bipartisan fashion, and I urge its adoption.

Mr. HALL of Texas. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, Chairman BOEHLERT has succinctly laid out the amendment and has worked with us on it. We support it, and I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BOEHLERT).

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GIBBONS) having assumed the chair, Mr. SIMPSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4687) to provide for the establishment of investigative teams to assess building performance and emergency response and evacuation procedures in the wake of any building failure that has resulted in substantial loss of life or that posed significant potential of substantial loss of life, pursuant to House Resolution 475, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BOEHLERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 338, nays 23, not voting 73, as follows:

[Roll No. 295]

YEAS—338

Abercrombie	Edwards	King (NY)
Aderholt	Ehlers	Kirk
Allen	English	Klecza
Andrews	Eshoo	Knollenberg
Armey	Etheridge	Kolbe
Baca	Evans	Kucinich
Bachus	Everett	LaFalce
Baird	Farr	LaHood
Baldacci	Ferguson	Lampson
Baldwin	Filner	Langevin
Ballenger	Fletcher	Larson (CT)
Barcia	Foley	Latham
Barr	Forbes	LaTourette
Bartlett	Ford	Leach
Bass	Frank	Lee
Bentsen	Frelinghuysen	Levin
Bereuter	Frost	Lewis (CA)
Berkley	Gekas	Lewis (KY)
Berry	Gephardt	Linder
Biggert	Gibbons	LoBiondo
Bilirakis	Gilchrest	Lowey
Bishop	Gilman	Lucas (KY)
Blunt	Gonzalez	Lucas (OK)
Boehlert	Goss	Luther
Boehner	Graham	Lynch
Bonilla	Granger	Maloney (CT)
Bono	Graves	Maloney (NY)
Boozman	Green (TX)	Masaca
Boswell	Green (WI)	Matheson
Boyd	Greenwood	Matsui
Brady (TX)	Grucci	McCarthy (NY)
Brown (FL)	Gutknecht	McCollum
Brown (OH)	Hall (OH)	McCrery
Brown (SC)	Hall (TX)	McGovern
Burr	Harman	McInnis
Burton	Hart	McIntyre
Buyer	Hastings (WA)	McKeon
Callahan	Hayes	McKinney
Camp	Hayworth	McNulty
Capito	Hefley	Meek (FL)
Capps	Herger	Meeks (NY)
Cardin	Hill	Menendez
Carson (IN)	Hilliard	Mica
Carson (OK)	Hinchey	Millender-McDonald
Castle	Hinojosa	Miller, Dan
Chabot	Hobson	Miller, Jeff
Clayton	Hoeffel	Mink
Clyburn	Hoekstra	Mollohan
Collins	Holden	Moore
Combest	Holt	Moran (KS)
Condit	Honda	Moran (VA)
Cooksey	Hooley	Morella
Costello	Horn	Murtha
Cox	Houghton	Myrick
Coyne	Hoyer	Nader
Cramer	Hulshof	Napolitano
Crenshaw	Hyde	Neal
Crowley	Inslee	Nethercutt
Cummings	Israel	Ney
Cunningham	Istook	Northup
Davis (CA)	Jackson (IL)	Nussle
Davis (FL)	Jackson-Lee	Obey
Davis (IL)	(TX)	Oliver
Davis, Jo Ann	Jefferson	Ortiz
Davis, Tom	Johnson (CT)	Osborne
DeGette	Johnson (IL)	Ose
Delahunt	Johnson, E. B.	Oxley
DeLauro	Johnson, Sam	Pallone
DeLay	Kanjorski	Pastor
DeMint	Kaptur	Payne
Deutsch	Keller	Pelosi
Dingell	Kelly	Peterson (MN)
Doggett	Kennedy (MN)	Peterson (PA)
Dooley	Kennedy (RI)	Petri
Doolittle	Kerns	Phelps
Doyle	Kildee	Pitts
Dreier	Kilpatrick	Platts
Dunn	Kind (WI)	

Pombo	Sensenbrenner	Thompson (CA)
Pomeroy	Serrano	Thompson (MS)
Portman	Sessions	Thornberry
Price (NC)	Shaw	Thune
Pryce (OH)	Shays	Thurman
Putnam	Sherman	Tiberi
Quinn	Sherwood	Towns
Rahall	Shimkus	Turner
Ramstad	Shows	Udall (CO)
Rangel	Shuster	Udall (NM)
Regula	Simmons	Upton
Rehberg	Simpson	Visclosky
Reyes	Skeen	Vitter
Reynolds	Skelton	Walsh
Rivers	Slaughter	Wamp
Rodriguez	Smith (MI)	Waters
Roemer	Smith (NJ)	Watkins (OK)
Rogers (KY)	Smith (TX)	Watson (CA)
Rogers (MI)	Snyder	Watt (NC)
Rohrabacher	Solis	Watts (OK)
Ros-Lehtinen	Souder	Waxman
Ross	Spratt	Weiner
Rothman	Stark	Weldon (FL)
Roybal-Allard	Stearns	Weldon (PA)
Rush	Stenholm	Weller
Ryan (WI)	Strickland	Whitfield
Sabo	Stump	Wicker
Sanchez	Stupak	Wilson (NM)
Sanders	Sullivan	Wilson (SC)
Sandlin	Sununu	Wolf
Sawyer	Tanner	Woolsey
Saxton	Tauscher	Wu
Schakowsky	Tauzin	Wynn
Schiff	Taylor (MS)	Young (FL)
Schrock	Terry	
Scott	Thomas	

## NAYS—23

Akin	Goode	Paul
Cannon	Goodlatte	Pence
Cantor	Hostettler	Royce
Chambliss	Isakson	Ryun (KS)
Coble	Jones (NC)	Shadegg
Culberson	Kingston	Taylor (NC)
Duncan	Norwood	Toomey
Flake	Otter	

## NOT VOTING—73

Ackerman	Emerson	McDermott
Baker	Engel	McHugh
Barrett	Fattah	Meehan
Barton	Fossella	Miller, Gary
Becerra	Galleghy	Miller, George
Berman	Ganske	Oberstar
Blagojevich	Gillmor	Owens
Blumenauer	Gordon	Pascarell
Bonior	Gutierrez	Pickering
Borski	Hansen	Radanovich
Boucher	Hastings (FL)	Riley
Brady (PA)	Hilleary	Roukema
Bryant	Hunter	Schaffer
Calvert	Issa	Smith (WA)
Capuano	Jenkins	Sweeney
Clay	John	Tancredo
Clement	Jones (OH)	Tiahrt
Conyers	Lantos	Tierney
Crane	Larsen (WA)	Trafigant
Cubin	Lewis (GA)	Velazquez
Deal	Lipinski	Walden
DeFazio	Lofgren	Wexler
Diaz-Balart	Manzullo	Young (AK)
Dicks	Markey	
Ehrlich	McCarthy (MO)	

□ 1018

Messrs. PENCE, AKIN, RYUN of Kansas, ISAKSON, and GOODLATTE changed their vote from "yea" to "nay."

Messrs. BLUNT, ARMEY, BARR, and WAMP, and Ms. KILPATRICK changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CLAY. Mr. Speaker, on rollcall No. 295, H.R. 4687, National Construction Safety Team Act, had I been present, I would have voted "yea."

Ms. MCCARTHY of Missouri. Mr. Speaker, on rollcall No. 295, I was unavoidably de-

tained. Had I been present, I would have voted "yea."

Mrs. CUBIN. Mr. Speaker, on roll call 295 I was detained by the construction on the Capitol Hill complex. Had I been present, I would have voted "yea."

Mr. McDERMOTT. Mr. Speaker, I was unable to be in Washington, DC today. As a result, I was unable to vote on the National Construction Safety Team Act (H.R. 4687). Had I been capable of voting, I would have voted "yea."

## GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD on H.R. 4687.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from New York?

There was no objection.

## LEGISLATIVE PROGRAM

Ms. PELOSI. Mr. Speaker, I rise for the purpose of inquiring about the schedule for next week.

Mr. ARMEY. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I am so pleased to announce that the House has completed its legislative business for the week.

The House will next meet for legislative business on Monday, July 15, at 12:30 p.m. for morning hour and at 2 o'clock p.m. for legislative business.

I will schedule a number of measures under suspension of the rules, a list of which will be distributed to Members' offices later today. Recorded votes on Monday will be postponed until 6:30 p.m.

On Tuesday and the balance of the week, I have scheduled the following measures for consideration in the House:

On Tuesday, H.R. 5093, the Department of Interior Appropriations Act for Fiscal Year 2003;

On Wednesday, the Treasury and Postal Operations Appropriations Act for Fiscal Year 2003;

On Thursday, the Legislative Branch Appropriations Act for Fiscal Year 2003;

And again on Thursday and on Friday, the Department of Agriculture Appropriations Act for Fiscal Year 2003.

Mr. Speaker, the conferees are meeting this morning to complete work on the President's emergency defense and homeland security supplemental appropriation request, and I intend to schedule that conference report as soon as it is available next week.

Obviously, Mr. Speaker, we have a busy and productive week ahead of us, so I would advise Members to expect long days and nights as we work to

complete our work on five appropriations bills next week.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for that presentation. I would just like to know how late he expects these long days and nights to go. Are we talking 3 a.m. in the morning? Can Members make plans with their families in the evening?

Mr. ARMEY. I thank the gentlewoman for the inquiry. As the gentlewoman may have noticed, other than Monday, we have appropriations bills on each of these days. Appropriations bills come to the floor under the 5-minute rule. This provides ample opportunity for maximum participation by the Members.

One can never say for certain. We will try to work as late as is necessary to maintain the schedule for the completion of the bills, with an eye toward a reasonable time to catch our planes for our weekend work recesses at home on Friday. So while I would anticipate no extraordinarily late evenings, we must be prepared, I think, to work into the evenings each night to sustain that schedule.

Ms. PELOSI. I appreciate that.

I would like to further inquire, Mr. Speaker, if there is any other legislative business besides appropriations bills that the gentleman expects to come up next week.

Mr. ARMEY. I thank the gentlewoman for that question. We do not see anything. Obviously, we have several things out in conference, and insofar as any of those conferences, and most hopefully the emergency supplemental conference should report, we would want to bring those conference reports to the floor as quickly as possible.

Ms. PELOSI. Mr. Speaker, I would say to the leader that I had a couple of issues in that regard.

As Members know, the Senate will finish a very tough corporate accountability measure early next week that the President and the Speaker have expressed support for.

Given deep concern about the corporate scandals and impact on pensions and retirement savings of Americans, we in this House need to act as quickly as possible. Would it not make sense simply to adopt the Senate bill and send it right to the President before we leave for the August recess? Is that possible?

Mr. ARMEY. I thank the gentlewoman for her inquiry. I, too, like the gentlewoman, am so pleased that the other body has finally understood how necessary this is and has finally tried to catch up with the House, which passed a bill on April 24 with a vote of 334 to 90, and 119 Members of the gentlewoman's own party voted for that excellent product from the House.

While the other body is finally getting aware of the urgency of moving on this, and we do, indeed, hope they might complete work on a bill that relates to our work next week, we would be quite anxious to get to conference with them as quickly as possible and

work out the most reasonable and effective compromise between the two bodies to get sent to the President as soon as possible.

So I would join the gentlewoman from California in wishing Godspeed and good work to the other body so that we could get to that conference and complete the work so ably begun in this body almost 3 months ago with that marvelous vote of 334 to 90 on our own bill on this matter.

Ms. PELOSI. Mr. Speaker, if the subject were not so serious about the pensions of America's families, the hopes and aspirations for their children and their children's education that has been greatly diminished by the collapse of the stock market, I would think that the distinguished majority leader was jesting in the comments that he just made.

Mr. ARMEY. No, no, Mr. Speaker.

Ms. PELOSI. The Senate has acted very responsibly and in a manner that I hope this body will follow suit on in the bill that they have passed. The difference between the House bill and the Senate bill is drastic. That is why I asked that we take up the Senate bill tout suite and send it to the President.

I had a couple of other questions, however.

Mr. ARMEY. Mr. Speaker, if the gentlewoman will continue to yield, if, indeed, the subject were not so grave before the American people, we might find this body willing to pick up the work product of another body that had taken 3 months to even see how serious the problem is.

But since this body so quickly perceived the problem, so effectively worked on the problem, we must insist on the opportunity for this body's earlier prompt, timely, and most professionally well done work to be honored in the process.

There is no way that this body could consider its duty to America to take the tardy, less well-understood and generally-feared-to-be-less-effective legislation from the other body, when we have the most perfect opportunity to go to conference and get it right.

Ms. PELOSI. Methinks the gentleman doth protest too much. The fact is that the events that have followed the passage of the bill in this body have demonstrated its weakness so very clearly.

So again, I reiterate my request of the gentleman to take up the Senate bill ASAP so we can send it to the President.

Mr. ARMEY. Mr. Speaker, if the gentlewoman will continue to yield, this body demonstrated on April 24 that there is nothing to be learned from the second kick of a mule. Unfortunately, it took 3 months and several more kicks for the other body to wake up, and there is no way that we will set our good work aside, take up their work, and deny America the opportunity to have a well-conferenced work where the work of this body can be presented in this process.

Ms. PELOSI. Mr. Speaker, I reiterate, methinks the gentleman doth protest too much.

Mr. Speaker, another bill that I am wondering will come up is the bill on the Permanent Select Committee on Intelligence, on which I serve as ranking member. We finished our work a long time ago, and have been hoping to move that very important piece of legislation.

Mr. ROEMER. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Indiana (Mr. ROEMER) to pursue that question with the very distinguished majority leader.

Mr. ROEMER. Mr. Speaker, I thank my good friend, the gentlewoman from California, for yielding to me, and am pleased to have the opportunity to engage the distinguished majority leader in a question or two.

It seems to me when the majority leader points the finger at the so-called other body for not doing its work, it comes on the tail of a workweek, so-called workweek, that we have had here of a half an hour on the floor Monday, we were out of session Wednesday by 4:30, yesterday by 1:30, and today at the late hour of 10:29 we have concluded legislative business.

It seems to me that there are a lot of important things for the country and the Congress to engage in. One of them is the business of the Permanent Select Committee on Intelligence. The saberrattling of the al Qaeda is out there saying they are going to attack America again, yet we have had an intelligence bill languishing in the Committee on Rules for 1½ months.

I would be very interested in knowing and inquiring of the majority leader why that intelligence bill is not on the floor and why that platform for supporting some changes and reforms in the intelligence community is not leading the way here at a very, very important time in the Nation's history.

Mr. ARMEY. If the gentlewoman will continue to yield, Mr. Speaker, I do appreciate that the fact of the matter is before we left for our July 4 work recess we did advise the body to prepare to come back for this week just past and spend their time in the committee room, where, indeed, 12 of our committees worked, the last of which finishing at 1:30 in the morning last night on this very important business of homeland security.

We also had the Committee on Appropriations mark up four bills this week. We did in fact have the committee work week that we asked and anticipated for the week. I am sorry the gentleman from Indiana (Mr. ROEMER) missed out on all the fun, but the committee members that worked so late in the evening will tell the gentleman that their work was comprehensive and exhaustively attended to during the course of this week.

□ 1030

The bill under consideration about which you ask has not been filed by the

Committee on Rules; therefore, it is not prepared to bring to the floor. The committee chairman has himself been steeped in work on homeland security and I would guess that the gentleman from Florida (Mr. Goss) will be very anxious to get together with his ranking member and work out any final details they need to in order to file a bill, at which time, obviously, we would move the bill to the floor as quickly as possible and maintain the excellent work record of this body that has indeed done a level of work for the past 2 years that would be commensurate with two legislative sessions in order to keep pace with all that is before us and stay so far ahead of the other body that just does not seem to be able to catch up with the enormous amounts of work we produce.

Mr. ROEMER. I would just engage the majority leader a little bit further on this particular bill in saying that the committee reported this unanimously out of the committee a month and a half ago in a bipartisan fashion after we worked very hard on it. The reason it is not filed, my understanding from staff is because the leadership has not asked that it be filed, that as soon as they ask that it be filed that the bill will come immediately to the floor. Why is the leadership not supportive of the intelligence authorization bill coming to the floor, especially in light of the defense appropriations bill having already gone through this body?

Mr. ARMEY. I thank the gentleman. Let me say to the gentleman as clearly as I can, this leadership has an unqualified respect and admiration for the gentleman from Florida (Mr. Goss). And when it comes to the business of filing the chairman's bill, this leadership is at the chairman's disposal, with all due respect and admiration for an outstanding Member of this body. And I promise the gentleman from Indiana that as soon as the chairman decides that he would like to file this bill, it will be attended to by the leadership and by the Committee on Rules.

Mr. ROEMER. I would just say to the distinguished majority leader, as a member of the Permanent Select Committee on Intelligence nobody has higher respect for the bipartisan way that the gentleman from Florida (Mr. Goss) handles that committee. We respect him. We work with him, and we look forward to that very important bill coming to the floor, especially before something else happens in this country or abroad and so it does not get so far behind the defense appropriations that has already gone through.

If the distinguished gentleman would further respond to a comment, we had plenty of time this past week to do another bipartisan piece of legislation, which was the reauthorization of the AmeriCorps National Service Bill. Thousands of Americans have lined up to volunteer in this country in light of September 11. The President of the United States has put a high priority

on this bill. Yet, again, this is a bill that has not made its way to the House floor.

Would the majority leader care to comment with all the time we have had on the floor this past week, why that priority of the President has not come to the floor?

Mr. ARMEY. I appreciate the gentleman's inquiry. The fact of the matter is we have attended to a great many matters, and when and if that bill is appropriate to be brought to the floor in the judgment of the majority leader, the bill will then be brought to the floor. That time has not yet come.

Ms. PELOSI. I thank the gentleman.

Mr. ROEMER. I thank the majority leader, and I thank the gentlewoman from California. I hope this bipartisan bill will get to the floor. I think it would pass with over 300 votes.

Ms. PELOSI. Mr. Speaker, I would encourage once again the leaders of the majority to bring the Senate bill to the floor expeditiously.

#### ADJOURNMENT TO MONDAY, JULY 15, 2002

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members of both sides to please refrain from improper references to the Senate.

#### FINDING A CURE FOR ALS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, upon retiring from baseball due to a debilitating disease known as ALS, Lou Gehrig said, "I consider myself the luckiest man on the face of the Earth . . . I might have had a tough break, but I have an awful lot to live for."

Today this attitude is personified in Matthias Radits, the corporate chef of

The Breakers resort, who was diagnosed with ALS last year. With The Breakers' kitchen serving as the classroom, Mr. Radits has established an apprenticeship for high school graduates interested in culinary arts.

ALS is a fatal, neurodegenerative disease that attacks nerve cells of the brain and spinal cord. When cells die, voluntary muscle control and movement ceases, yet a patient's mind remains intact.

The average life expectancy is 2 to 5 years. But with recent advancements, ALS patients are living longer and having more productive lives.

I urge my colleagues to work hard towards additional funding for ALS so that more aggressive and productive research can be done and we can imagine a day when this disease disappears for all of the Matthias Raditses of the world.

#### RESTORE INVESTOR CONFIDENCE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, last Saturday in Houston, Texas, my constituents, many of them laid off ex-Enron employees, joined me to announce the need for immediate action for corporate accountability. Large speeches were made this week by the administration joining in that voice, but the only action that will be respectful of the pain that so many have experienced is immediate action.

So I call upon my colleagues to immediately address an outstanding legislative initiative that deals with separating accounting functions from consulting functions offered by the gentleman from New York (Mr. LAFALCE). I believe we can immediately begin to answer the concerns of the American people. We can address the concerns of a WorldCom stock that 3 weeks ago sold for \$64 and is now 7 cents.

So to answer the needs and the pain of my constituents, I will file today the Omnibus Corporate Reform and Restoration Act of 2002, an omnibus bill that has sweeping measures to change the face of corporate America. I hope we have heard the voices and the cries of the American people. We must do it now to restore investor confidence.

#### STRONG LEADERSHIP OF THE PRESIDENT

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise to congratulate President Bush on the very bold speech that he made on Wall Street the other day demonstrating his outrage over the kind of business that we have seen within a number of corporations. I know many people are talking about these scandals; my colleague from Texas just mentioned it. I

think that if we look at the way President Bush has responded, there are a number of issues on which he states his very strong feelings.

There is nothing about which he feels more strongly than the fact in a capitalist system which is one of the greatest aspects of the United States of America, honesty and ethics are a priority and they are to be expected. And that is why I believe that the legislation which we have moved from this House and we hope we will be able to see legislation emerge from the Senate so that we can bring about a bipartisan compromise to deal with accounting reform that will not in any way jeopardize the free market system which is so important to us will succeed. I congratulate President Bush for the very strong leadership he has shown on this issue.

#### STEEL REVITALIZATION ACT

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, almost every day we hear about another major U.S. corporation sell out its stockholders, lay off workers, destroy pension funds for those workers. Almost every day we see my Republican friends do the bidding of another corporate interest and fail the American public.

I call on this body to pass H.R. 808, the Steel Revitalization Act. In my district, RTI Technologies, a steel producer, has seen, its workers have seen their pension and their health benefits in jeopardy.

This body which every day acts on behalf of corporate interests on behalf of Republican leadership has failed workers in this country, has failed pensioners in this country, has failed to correct health care abuses by corporate America in this country. It is time that this body pass H.R. 808, the Steel Revitalization Act.

#### ACTING AGAINST CORPORATE ABUSES

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, I am often admonished for urging the other body to take up action on a bill, and yet I just heard a dialogue between the minority whip and the majority leader on urging us to take up a Senate bill.

I was on the floor yesterday when that bill was under consideration. Ironically, Senator JOHN MCCAIN from Arizona had a very, very important provision in that bill that would have accounted for stock options, which is one of the biggest problems in the accounting of corporate income and expenses. He was blocked by the majority, the Democratic majority, from accepting his amendment that would have

brought to light how these stock options are treated.

Now, in fairness, we are willing to consider a bill urgently to clean up corporate abuse, accounting abuse; but they cannot have it both ways. They cannot say it is a perfect bill that has been produced by Senator SARBANES without acknowledging that they failed to address a very important option test, accounting for options, which has been the fundamental root of the problems. WorldCom, Enron, all of these options that were allowed by the corporations had faulty accounting techniques applied.

So I commend Senator MCCAIN for introducing that, and I urge those on the other side to consider it as well.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind the Member to refrain from improper references to the Senate.

#### UNNECESSARY DEPARTMENT OF HOMELAND SECURITY

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, I realize that almost everyone in the Congress is going to vote to create the new Department of Homeland Security, but I am afraid all this new Department is going to do is make the government bigger, more bureaucratic and more expensive and the country will not be any safer.

In yesterday's "Congress Daily," we read that the Congressional Budget Office has estimated it will cost \$43 billion just to implement the new Department.

The New York Times on June 23 had a column which said the proposed Department contains "elements so big that even a fee-hungry Wall Street investment banker might have hesitated to propose it."

William Schneider, in the "National Journal," said it will "simply add another layer of bureaucracy. Will adding another layer of government at the top make a great deal of difference? Not if the problem is at the bottom."

Tony Blankley, in Wednesday's Washington Times said, "Congress should slow down, be more deliberative . . . Perhaps some bill can be cobbled together at such breakneck speed, but not the bill that this country needs."

Mr. Speaker, we should not have to create a new cabinet-level Department just to get Federal agencies to cooperate with each other.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KIRK). Under the Speaker's announced policy of January 3, 2001, and under a

previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### MEDICAL MALPRACTICE INSURANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, we spend a lot of time in Congress talking about health care, and reasonably so, we should. Health care is probably the one thing none of us as citizens can totally control on our own. We can exercise, diet. We can work out. We can do all the right things, but we may be stricken at sometime in our life with Lupus, leukemia, Alzheimer's, AIDS, cancer, any number of maladies that face us. It is important to talk about these subjects because it is important for Congress to grapple with these issues.

□ 1045

There is also a looming issue that needs to be discussed, vetted and a solution found for, and that is medical malpractice insurance rates. Florida particularly has been inundated with liability crises and looming coverage where we may see our physicians unable to afford any coverage at all, and if they can find it, the cost prohibitive for them to continue to practice their vital roles that they play in society.

Malpractice rates have been rising 20 to 40 percent per year, 20 to 40 percent per year, while inflation has remained virtually stagnant. The hardest-hit doctors in Florida are over 50,000 obstetricians, radiologists, orthopedic surgeons, lung specialists, oncologists, among the list of people.

Average damage awards, which is part of the root problem, ordered by courts have doubled over the past 3 years, meaning jury awards for courts have increased damage awards substantially and significantly. Hospitals, one insurer increased a local hospital rate to \$1.5 million this year from \$500,000 a year ago. That is a tripling of premium, which any person can routinely understand that if we add an expense like that to a category, it has to come out of somewhere; and ultimately we pay more for health care, pay more for all the services provided for indigents and others in our community.

Some doctors are paying up to 80 percent of their annual income in premiums. Many people snicker and say physicians make a lot of money. I beg to differ. Some do, but most have been working tirelessly to provide the important roles they do for society and

are often compromised because they are not only having to pay extraordinary liability insurance, but with all the regulations and all the attendant things that they are expected to do, including continuing medical education and the like, they are consequently under the great glare of looming bankruptcy or finding themselves wanting to leave the practice of medicine that they have loved doing for all their life.

We need to do something about this issue. It needs to revolve around getting the parties together, and this is not a shot at the trial lawyers, but they have to be intimately involved in some of these discussions where there would be another system like a loser pay something where at least the onus is on those bringing charges, to be certain they have valuable and vital suits to bring to the courts. Oftentimes litigation ends with a letter to the plaintiff defendant, ultimately trying to shake down a few dollars, and hopefully the insurance company will settle because they will tell us it is more expensive to go to court than to settle out of court; and consequently, doctors are hemorrhaging incomes because of these consequences.

I do not stand aside or take any notion that we should excuse wrongful and wilful malpractice. Somebody cuts off the wrong limb, absolutely the person who has been aggrieved demands full compensation for damages rendered. That is not what we are talking about. We are talking about a system that has run amuck; that does not recognize dangerous procedures that were done to people, devastating their lives and frivolous lawsuits.

This Congress nationally, as well as legislators in 50 States, needs to grapple with this issue because I can tell my colleagues today that if this does not get resolved soon, we will have a mass exodus of professionals leaving health care, a mass exodus because they can simply no longer afford the premiums that this malpractice insurance costs. It is affecting hospitals. It is affecting nursing homes. It is affecting practitioners. It is affecting every American, because as these rates rise, they must be passed on to others, and that is the patient. The patient pays more; health insurance becomes less available. Cost of treatment and facilities increases; cost of health care premiums skyrocket. Costs to the consumers in every product, good or service produced, sold or distributed in this country is exponentially increased because of the underlying costs of these looming crises.

So we can stand here and do nothing, afraid to tackle a tough issue; or we should include it in at least the act of debate.

The SPEAKER pro tempore (Mr. KIRK). Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### CORPORATE GREED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, on Tuesday of this week President Bush gave a major speech on his administration's plans to curb executive greed and corporate misgovernance in America. Why, one should ask, was the President's speech so poorly received? Why did the market drop several hundred points in the 3 days since the President gave his speech, including a couple of hundred points actually the same day that he delivered the speech on Wall Street? Why did so many Wall Street workers who attended the speech ask afterwards how much of this speech was just politics and how much of it is about real change?

Despite the President's calls for corporate America to clean up its act, President Bush, at the behest of his corporate sponsors, continues to oppose real reform on Capitol Hill. He has refused to support meaningful pension and accounting reforms, even though a bipartisan bill just passed the other House. He will not support other legislation to halt offshore tax avoidance. His budget severely underfunds the SEC; and to make matters worse, the President has pushed to turn Medicare over to the health insurance industry, which brought us HMOs and has brought us disaster in many, particularly rural, communities around the country.

Why is all this happening? Why would all this be? It is pretty simple. The President and Republican leadership have invited corporate interests into the inner sanctum of government to help them run this country. Insurance companies write the legislation that Republicans and the President try to get through this Congress to privatize the Medicare system.

The chemical industry has written legislation that the Republican President and the Republican leaders in Congress have tried to push through on environmental policies. The oil industry has written legislation for the President and written legislation that the President and Republican leadership have tried to push through on energy policy. At Wall Street, bankers have written the legislation on behalf of Republican leadership and the President to privatize Social Security, but worst of all is what Republican leaders in the House have pushed through on behalf of the prescription drug industry.

Let me relate a story of an event. About 3 weeks ago, as the senior Demo-

crat on the Subcommittee on Health, I have worked extensively with my colleagues on legislation to provide a Medicare prescription drug benefit and do something about the outrageous prices that the drug industry, the most profitable industry in America, with the lowest tax rate in America, has inflicted upon the public.

During the markup of the Republican plan, because they are in the majority in committee, at five o'clock in the afternoon, while we still had 15 to 20 hours of work to do, as it turned out, Republican leaders adjourned the committee so the Republican Members could go off to join President Bush and Vice President CHENEY at a big fundraiser underwritten by the drug industry to the tune of at least \$2 million, maybe \$3 million, and sponsored by the drug industry and chaired by the CEO of a British drug company who, he and his firm, contributed \$250,000 to the Republicans. Other drug companies, the drug industry trade association and others contributed hundreds of thousands of additional dollars.

When we returned the next day to our committee to continue the work on the prescription drug bill, on every single major amendment consumers and seniors lost, and the drug industry won issue after issue after issue. Amendments such as saying that Medicare beneficiaries should have a prescription drug plan as good as a Member of Congress, voted down on a party-line vote, Republicans opposing because the drug industry wanted them to.

On issues such as dealing with bringing the price down, perhaps Medicare, the 40 million Medicare beneficiaries, the government could negotiate prices on behalf of all of them and bring the price down like they do in Canada. Republican party-line voted no because the prescription drug industry wanted it that way.

Issue after issue after issue, the Republicans sided with the prescription drug industry against reform, against seniors, against American consumers.

This government, the Republican leadership in this House of Representatives is too close to corporate America. It is too close to the oil industry when writing energy policy. It is too close to the chemical industry when writing chemical policy. It is too close to the drug industry when writing Medicare prescription drug policy. It is too close to the insurance industry when they try to privatize Medicare, and it is too close to Wall Street when they try to privatize the Social Security system.

Mr. Speaker, the Democratic plan does something about Medicare by providing a benefit and doing something about the outrageous pricing.

#### THE NATIONAL DEBT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. TAYLOR) is recognized for 5 minutes.

Mr. TAYLOR of Mississippi. Mr. Speaker, I know I am not supposed to

address folks up there in the balcony, but they have got to find it a little strange that it is about 10:30 here in Washington and Congress is not here. In fact, in the whole of this week, Speaker HASTER scheduled 13 votes, flew 435 Members of Congress back from across the country, majority of them coming from California where there are 52 Congressmen, for 13 votes. Today is the 1,281 day that he has been Speaker, and for not one of those days has he found the time to schedule a vote on what I think is the most important thing facing those young people in the balcony, those young people, my kids, everybody else's kids in America, and that is the national debt.

At least one of those people up there is 23 years old like my daughter Sarah; and if a person is 23 years old, on the day they were born, our Nation was less than \$1 trillion in debt. It means they have gone all the way from when George Washington became the President until just before Ronald Reagan assumed office, through the Civil War, let us walk through it, the Revolutionary War, the War of 1812, Mexican-American War, the Civil War, Spanish American War, World War I, World War II, Korea, Vietnam, all the things that have happened along the way, the building of the interstate highway system, the building of the great barge canals in our country, all the great things that have been done for our Nation, the Nation borrowed less than \$1 trillion. In the past 23 years, the Nation has borrowed over \$5 trillion.

Just 2 weeks ago in a straight party-line vote, every single Republican voted to raise the debt limit by an additional \$400 billion. When folks stop me at the K-Mart or the Wal-Mart or the local hardware store, they say where does the money go, where does all that money go? They are absolutely dumbfounded when I tell them the biggest expense of their Nation is not defense, not health care, not taking care of our veterans. It is paying interest on this enormous national debt.

Our Speaker in the 1,281 days that he has been Speaker has not even allowed us a vote on a simple constitutional amendment that says Congress cannot spend more than it collects in taxes. About half the States have that requirement. That is why most of the States have very low indebtedness. That is why they squander very little of our money on interest on the debt.

President Bush introduced the very first \$2 trillion budget this year. He increased spending by about 8 percent over last year because of his tax breaks. Revenues are down 16 percent; and the net result of that is in the past 12 months, the national debt has increased by \$399,653,925,113.31.

Why is that so horrible? How many of us as parents would go out and buy a car, go down to the car lot and buy the most expensive car on the lot and say I do not care what it costs, I do not care what kind of frills are put on it, and by the way, send the bill to my 6-



year-old son when he turns 30, plus interest? How many would dream of going to the local Realtor and saying I want the most expensive house in this country, and I do not care what it costs and bill my 7-year-old grandson?

That is precisely what our Nation has been doing, and yet the Speaker will not give us in the 1,200-plus days that he has been Speaker even one vote on a balanced budget amendment.

□ 1100

It came up in the House about 6 years ago. It passed. We got the two-thirds votes necessary. It went to the other body. It failed by only one vote. So instead of forcing the other body to vote on this again and again and again until we do the right thing for the American people, our Speaker has chosen to run up the debt.

Mr. Speaker, since you have become Speaker, our Nation has increased the national debt by \$511,040,208,939. That is more debt than was incurred in this country from the day George Washington became President to halfway through World War II, on your watch. You are the man. You schedule the floor debate. You decide what we vote on and when we vote on it and you keep deciding we cannot have a vote on a balanced budget amendment.

Mr. Speaker, my name is GENE TAYLOR. I represent the citizens of South Mississippi. For every day of the rest of this session, I am going to come to this House floor and tell the American people the truth, that you will not give us a vote on a balanced budget amendment and that you are the guy who is responsible for this debt, and I am personally going to make them aware of it, and I am going to let them decide in November if you have managed this House very well.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to refrain from references to occupants of the gallery.

#### REVISIONS TO THE 302(a) ALLOCATIONS AND BUDGETARY AGGREGATES ESTABLISHED BY THE CONCURRENT RESOLUTIONS ON THE BUDGET FOR FISCAL YEARS 2002 AND 2003

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. NUSSLE) is recognized for 5 minutes.

Mr. NUSSLE. Mr. Speaker, Pursuant to Section 314 of the Congressional Budget Act, Section 221 of H. Con. Res. 83, and Section 231 of H. Con. Res. 353, I submit for printing in the CONGRESSIONAL RECORD revisions to the 302(a) allocations and budgetary aggregates established by the Concurrent Resolutions on the Budget for Fiscal Years 2002 and 2003.

As reported to the House, H.R. 5093, the Interior and Related Agencies Appropriations

bill, includes emergency-designated appropriations for wildland firefighting. Those appropriations total \$700,000,000 in new budget authority for fiscal year 2002. There are no outlays from those appropriations in fiscal year 2002. Outlays flowing from fiscal year 2002 emergency appropriations increase the 302(a) allocation for fiscal year 2003 outlays. Under the procedures set forth in section 314 of the Budget Act, adjustments may be made for emergency-designated budget authority through fiscal year 2002 and for the outlays flowing from such budget authority in all fiscal years. Outlays from those appropriations total \$400,000,000 in fiscal year 2003.

After making the required adjustments, the 302(a) allocation for fiscal year 2002 for the House Committee on Appropriations becomes \$736,127,000,000 in new budget authority and \$736,420,000,000 in outlays. The 302(a) allocation for fiscal year 2003 for the House Committee on Appropriations becomes \$748,096,000,000 in new budget authority and \$785,590,000,000 in outlays. The budgetary aggregates for fiscal year 2002 become \$1,709,299,000,000 in new budget authority and \$1,653,073,000,000 in outlays. The budgetary aggregates for fiscal year 2003 become \$1,784,073,000,000 in new budget authority and \$1,767,547,000,000 in outlays.

#### IN OPPOSITION TO INCLUDING TURKEY IN THE QUALIFIED INDUSTRIAL ZONE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I come to the House floor today to express my strong opposition to H.R. 5002, a bill to include Turkey in the Qualified Industrial Zone, allowing duty-free goods from Turkey to enter U.S. markets. This bill is not only an inappropriate and fiscally irresponsible back-door approach to establishing a free trade agreement with Turkey, but also rewards a country that has been illegally blockading Armenia, also a U.S. ally in the war against terror, for the past 9 years. This bill would send the wrong message to countries that are seeking access to our trade markets. It sends the presumably unintended message that violating the Humanitarian Trade Corridor Act will not be punished but instead rewarded for conducting internationally recognized illegal activity.

Since 1993, Armenia has suffered from the coordinated, dual blockades by its neighbors to the west and east. Turkey and Azerbaijan have largely choked off the transportation of goods from Armenia, eliminating a major east-west shipping route in the Caucasus and contributing to the destabilization of the regime.

These illegal blockades are in direct violation of the Humanitarian Corridors Act, passed by both the House and the Senate in 1995. The act states that, and I quote, "recipients of U.S. assistance should not hinder or delay the transport or delivery of United States humanitarian assistance to other countries." Unfortunately there

is also language in this bill that gives the President the authority to waive sanctions if the country that is guilty of prohibiting U.S. assistance to reaching a third country is deemed vital to the United States' national security. Turkey has flagrantly disregarded international trade norms because of this waiver that effectively gives them a free pass to act without fear of consequences. This proposed bill represents seriously flawed trade policy and sends the message that some countries do not have to honor international norms in U.S. law as long as such countries fill a national security need. This bill would not only reflect poorly on the United States' moral authority in trade policy, Mr. Speaker, but also represents dangerous fiscal policy; in effect subsidizing a politically unstable and economically irresponsible regime.

Last week 34 members of Prime Minister Ecevit's ruling party resigned in protest of the Prime Minister's refusal to step down as ruler of Turkey. Just yesterday two of the highest-level ministers resigned, economic Minister Kemal Dervis and Foreign Minister Ismail Cem, triggering calls within Turkey for new elections as early as September. Minister Dervis is widely recognized as the architect of the colossal International Monetary Fund bailouts of Turkey, which saved Turkey from immediate financial disaster but has put Turkey in debt to the IMF for a staggering \$31 billion.

The \$9 billion that were made available for release this year have not made any impact on the rapidly shrinking economy and massive unemployment in Turkey. We should not reward Turkey and put our own economy in further jeopardy without radical reform of Turkey's economic and trade policy. Mr. Speaker, the U.S. and international community may pour as much money into Turkey directly through fiscally careless legislation or indirectly through massive unprecedented IMF loans, but there will be minimal net benefits to the citizens of Turkey, and there are fundamental changes that are necessary.

Mr. Speaker, it is time to stop making special concessions for Turkey. Their blatant disregard for international norms, whether it is trade policy or their abysmal human and minority rights records, no longer can be ignored. I do not dispute that Turkey has been one of our closest allies in the war on terrorism, but that fact alone should not give them carte blanche to operate outside the boundaries of the American and European ideals that Turkish officials profess to honor.

#### CORPORATE CRIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, this has been a week of disappointment. In

the effort to combat corporate crime, we heard from the President something that was more of a pep talk than a policy pronouncement. He called upon us to reenact all the laws and regulations we already have and to say this time we really mean it.

Let us face it. The biggest reason for crime is that under certain circumstances crime pays, and the biggest reason why circumstances arise in which people conclude that crime pays is inadequate law enforcement. That is true with grand theft auto. It is true with corporate grand theft. And unfortunately the other party for the last 6 years has been working to undermine the enforcement at the SEC. As David Ruder, a former Republican head of the SEC, said in 1995, the Republican Congress is dealing with the SEC as though it were the enemy instead of the policeman on the beat.

Earlier this year, the President put forward a budget to this Congress which cut the SEC budget in real terms, allowed no increase for inflation, and cut the enforcement budget. This spring, I proposed to the Committee on Financial Services an increase in the authorization of the SEC of \$120 million to focus enforcement on the financial statements filed by the thousand largest companies in America. Every Republican on our committee voted no, every Democrat voted yes, the amendment went down.

It is time for us, if we are serious about dealing with securities crime, to fund the SEC. But it is time for us to do more as well. The bill passed by the Senate, the other body, is a good first step, but I hope in conference, or perhaps in a second bill, that we go beyond that.

There are a whole host of ideas that we ought to include. We ought to explore the idea of having our thousand largest companies audited every 6 months instead of every year. We have been auditing every 12 months since the 1933 act. Certainly the speed by which decisions are made, the speed at which stocks are bought and sold, is far more than twice as fast as it was in 1933. And if WorldCom is going to try to misstate its income for five quarters, it is better that they are caught after two quarters than after four quarters, assuming the audit is competent. And I will get to that in a second.

In addition, the Federal Government ought to certify some stock analysts as being genuinely independent. And to be independent, under this standard, it is not enough that the particular analyst does not get direct cash from the issuer, but rather that the employer of the analyst do no underwriting, consulting or in any other way receive money from the very companies that are being analyzed.

Now, some may accept a lower standard, and they are welcome to, but to be certified as independent, I would expect an analyst to be loyal to his or her employer. And, therefore, it would be good to have analysts who are em-

ployed by those who are not getting money from the very companies that are being analyzed.

Mr. Speaker, the Chair of the Committee on Energy and Commerce, the gentleman from Louisiana (Mr. TAUZIN), was on the morning shows this past Sunday indicating that Arthur Andersen had a peculiar problem that has led to a great overrepresentation of Arthur Andersen among the problem audits. He indicated that the structure of that firm was such so that the engagement partner, the salesman partner, had total power, and the technical review partners were not necessarily even consulted before the audit was concluded.

I had put forward to our committee back in April a requirement that accounting firms dealing with publicly traded companies avoid that Arthur Andersen structure and use a structure that almost all of them have always used, and that is that the technical review partners who are insulated from the client make the final determination. Unfortunately, even while the Republican Chair of the Committee on Energy and Commerce is saying this is the problem, the Republicans on our committee are voting against a solution.

It is time that we go beyond rhetoric and adopt legislation. We have a long way to go in restoring confidence to our capital markets.

#### H.R. 5110. OMNIBUS CORPORATE REFORM AND RESTORATION ACT OF 2002

The SPEAKER pro tempore (Mr. KIRK). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I believe that there are a number of issues that deserve the attention of this body, and I asked to address this House at this time because I have completed the assignment that was given to me, or the initial part of the assignment given to me by the pain of my constituents. Just a few moments ago I announced that I would file, and now I have filed, the Omnibus Corporate Reform and Restoration Act of 2002, H.R. 5110, an omnibus bill that lays clearly on this Congress an opportunity to make sweeping corporate changes now.

I said before that there is no pride of authorship. There should not be. We should work together on behalf of the American people. And if by chance this bill gets dissected and pieces of it pass, it may not be the whole but it will be the part. Right now, this bill encompasses a number of provisions that, if passed, could immediately address some of the concerns that we have.

We will never get to the point of restoring investor confidence until we stabilize and allow the American people to have a sense that we are inside the board room peering in to oversee

the proper activity of those who govern the corporations of America. We will never restore confidence until we again see corporate executives as leaders of United Way and Civic Citizens, that many of us have come to know and appreciate. We will never restore corporate confidence and investor confidence until we determine that those who have been broken and lost such large amounts of money, like the grandmother in my constituency that lost \$150,000 as a new investor. That is a lot for someone who is just exposing themselves to the market.

This bill will, in fact, do something historic and different. It will make for the first time unemployed employees, fired employees, whose company files bankruptcy, secured creditors. What does that mean? Just a few days before Enron filed bankruptcy, they gave \$105 million in retention bonuses to corporate executives. On Sunday, they filed for bankruptcy. On Monday, they laid off 5,000 of my constituents, many of them without severance pay, who lost their pensions and 401(k)s. For the last 6 months, we fought with the bankruptcy court because they were not secured creditors. They had no status in the bankruptcy proceedings. This bill will give them secured creditor status. They will be inside the courtroom to be able to fight for their benefits.

This bill provides for criminal penalties for altering or destroying documents. We know what happens with that. All of us panic sometimes. Everyone wishes they had not made the wrong decision, tearing up a piece of paper to cover up. Coverup is worse than a crime. So we need to make sure they do not run to their office by mistake or otherwise and tear up documents.

The bill provides for prohibition on loans to officers and directors. I frankly think we might be able to regulate it, but clearly we can see from WorldCom what can be done in crumbling one's own company. This will help in curtailing large loans by boards of directors to company executives; it will stop creating offshore companies and inside special companies that the board does not even know anything about and that is used to puff up the bottom line.

□ 1115

Also to protect the pensions of employees, and many others. I believe that the Committee on the Judiciary, of which I am a member, should hold hearings on whether or not enhanced criminal penalties or criminal initiatives need to be passed.

I move now to share with Members, we had a surplus. In fact, in March 2001, we had a \$5.6 trillion surplus with a decreasing debt. Because of the large tax cut that went nowhere and no one can remember, we now have no surplus. Yet we have the responsibility to our senior citizens because many of them are not able to pay rent or to get good food

because they have an enormous prescription drug cost. We need a guaranteed prescription drug benefit. Where is our heart in America? Where is our reason and our respect for the Greatest Generation?

I would like this to be bipartisan, but we need it to work; and the Republican plan is a voluntary card that insurance companies have. And if they do not make the money in their area, as they did not in my area, then they will close up shop. There is a period when they stop paying for the prescription drugs.

Mr. Speaker, there is a lot left to be done. Let me conclude by saying we are working on the homeland security department, and I am for it. But as we create this Department, we cannot forget our civil liberties and dual process. We must have those as we move this Department forward.

Mr. Speaker, this is work undone. We must get to work in this Congress.

#### REINSTATE CALIFORNIA'S MEDICAID UPPER PAYMENT LIMIT

The SPEAKER pro tempore (Mr. KIRK). Under the Speaker's announced policy of January 3, 2001, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the majority leader.

Mr. DREIER. Mr. Speaker, I know that we have been talking about a wide range of issues today, corporate responsibility, establishing the Department of Homeland Security, and many other challenges that we are facing; economic recovery, of course, being very important. But I would like to take a few minutes to share with our colleagues some prepared remarks that I have on a very unique challenge that we as Californians face when it comes to dealing with the issue of health care.

As I said, California's public health care system is one of the most unique in our country. Unlike most States which run their own hospitals or States which have no public hospitals at all, California relies on a network of county-supported public hospitals working in conjunction with a network of private safety net hospitals. Together these public and private hospitals care for over 5 million Californians eligible for Medicaid and an additional 7 million Californians who are uninsured.

Obviously, supporting this network of health care for low-income Americans requires a reliable source of funding. California, like a number of other States, relies heavily on Federal dollars paid through what is known as Medicaid's Upper Payment Limit Program. The safety net hospitals in my County of Los Angeles receive over \$120 million each year through the Upper Payment Limit Program. UPL was initiated a decade ago based on the recognition that public hospitals are the hospitals of last resort for most needy patients.

It is a mechanism that allows qualified public hospitals to receive reim-

bursement for services at 150 percent of the Medicare allowable payment rate. Only city and county public hospitals which provide trauma and emergency room services to a large number of uninsured and low-income patients are eligible for the program. The reason for the increased payments is very simple, there is no market incentive for hospitals to offer emergency services to patients who will never have the means to pay for expensive procedures.

So it was with great dismay this past January when I learned that the Center for Medicare and Medicaid Services had instituted a rule to actually lower the upper payment limit and reduce Medicaid reimbursements for city and county public hospitals to 100 percent of the Medicare allowable payment rate.

Mr. Speaker, implementation of this rule will have immediate and devastating consequences for the public health system in my State. By the time final implementation of this new policy is complete, California will lose over \$300 million in Medicaid funding each year, an amount that cannot be replaced by any State or local source. The stated explanation for reducing UPL is that certain States were misallocating UPL payments and using them for non-Medicaid-related expenditures, and we all understand that concern; and we want to make sure that those States are in fact getting back on track.

While several States were identified as misusing these Federal Medicaid dollars, it is very important to note that California was not among them. In fact, a number of States did misuse UPL dollars; California was not one of those States. In fact, we never spent any Federal Medicaid dollars on anything other than public health care.

In its haste to close the so-called upper payment limit loophole, CMS has issued this regulation with too broad a stroke. This lowered upper payment limit punishes not only the States that were abusing Federal funds, and they should be punished, but it has hurt States like California which were operating properly.

This program for 10 years, under both Democrats and Republicans, has been implemented and strongly supported. Moreover, this regulation ignores the will of this Congress in regards to the upper payment limit for public hospitals. When the allegations of misused UPL funds came to light several years ago, this body responded by severely limiting these supplemental payments and by fixing the upper payment limit at the 150 percent level.

As I said, the House and Senate reached a bipartisan agreement that was codified when the Medicare and Medicaid Beneficiaries and Improvement Act was signed into law in the 106th Congress. By lowering the Medicaid upper payment limit to 100 percent, CMS is undoing a carefully crafted compromise that balanced the Federal Treasury with the need to ensure

that health care remain available to the most vulnerable of our fellow citizens.

Mr. Speaker, as I stand here today, there may be skeptics out there who say that when compared to the overall Medicaid budget for the State of California, the \$300 million received under the 150 percent UPL is nothing more than a drop in the bucket. Well, to that let me say that the financial situation in California, and indeed in many of our State and local governments across this country, is so constrained that not one Federal dollar can be cut from the Federal Medicaid allocation without it adversely affecting the availability of care for Medicaid patients.

Just recently, Los Angeles County revealed that it plans to close nearly a dozen community health clinics and lay off over 5,000 health care workers because of a lack of budgetary resources. What alarms me the most is that the county's budget does not include the tidal wave of Federal Medicaid cuts that are scheduled to go into effect next year, including the reduction in the upper payment limit.

The fact is, if the UPL reduction is implemented by CMS, health care for low-income and uninsured patients will be compromised as a result. If the counties across California are forced to reduce hospital services because of decreased Federal support, those patients faced with long waits at the few remaining open public hospitals will turn to private hospitals for emergency care. While Federal law prohibits private hospitals from refusing to treat uninsured emergency care patients, it does not prohibit them from closing their emergency room doors.

Faced with overflowing emergency rooms and inadequate Medicaid reimbursements, this is the choice that many private hospitals would be forced to make. Therefore, a decreased upper payment limit would force both public and private hospitals in California to curtail emergency and trauma care services resulting in an absurd situation where a constituent of mine from Claremont, California, could conceivably be forced to drive over 30 miles in rush hour traffic to the Los Angeles USC Medical Center to find an open trauma center. The prospect of such an occurrence is simply unacceptable.

Mr. Speaker, I wanted to make clear that, in stating my opposition to the reduction of the UPL, I am not asking for special treatment for California. I am simply asking for fair treatment of California.

Under its federally approved Medicaid UPL, California follows some of the most stringent requirements for UPL eligibility. To access those funds in California, more than 25 percent of a hospital's patients have to be Medicaid-eligible or uninsured. I reiterate that California has exclusively spent the money that it has received under the UPL program on health care, not on anything else. To punish California for the misdeeds of other States is unwise and unfair.

We are all aware of the fact that California provides more tax dollars to the Federal Treasury than it receives in Federal support. Our State is third to the last in Federal Medicaid spending on a per capita basis. We can afford to fall no further. The public health system in California is at a critical juncture, and we must act now to prevent a crisis that will affect tens of millions of California taxpayers.

Yet I am very cognizant of the fact that our Nation is currently at war, and because of that we face significant budgetary limitation this fiscal year and we will face challenges next year as well. I do not believe, however, that we should reduce health care services for our most disadvantaged people in our efforts to reduce costs. Such action will undoubtedly cause more instability and expense in the long run than any benefit that would be provided in the short term.

Because implementation of the reduction of the upper payment limit is not scheduled to take place for California until fiscal year 2004, we have a unique opportunity to address these concerns without impacting the budget of this Congress, but we must take action this year. We must further the bipartisan compromise that was put together in the 106th Congress, and I am underscoring the importance of that.

Mr. Speaker, I am here today to ask for the support of Members on both sides of the aisle to find a common-sense solution to this impending crisis and to protect California's public health system from financial attack. The people of California deserve no less. We obviously want to do everything that we possibly can to ensure that there is not a continued reliance on emergency services, and we are working on a broad range of reforms in the area of health care, including the delivery of prescription drugs to seniors and other reforms which we believe are very important. But in the meantime, until we bring about those reforms, we cannot leave those who are the most disadvantaged among us hurting.

Mr. Speaker, I thank my colleagues on both sides of the aisle from California who have joined in working hard to deal with this Medicaid upper payment limit issue. We remain strongly united as a California delegation to preserve the health care system in our State and for the country.

#### TROPICAL STORMS HIT GUAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, I come to the floor having been absent all week from the deliberations of the House due to two storms which hit my home island of Guam. The first typhoon, the eye of the storm, passed over Guam on July 5, 2002, Chamorro Standard Time, with sustained winds of over 110 miles an hour.

□ 1130

Subsequently, Typhoon Ha Long was supposed to hit Guam on July 11, but, fortunately, it just veered a little bit to the south of the island. These storms, which frequent my part of the world quite often, of course, have caused a great deal of damage and a great deal of interruption of public services, and obviously I was not able to come back to the House this week as originally planned.

I have just gotten off the phone with Mr. Joe Allbaugh of the Federal Emergency Management Agency, FEMA, and they have assured me that FEMA is on the ground in Guam. In fact, they have chartered a plane with some 300 people to come out to Guam to try to provide all of the services that are necessary, including individual services for those who were directly affected by the typhoon.

Historically, Guam has suffered a major typhoon nearly every decade. There are some 60 to 70 storms which this part of the world generates every year, tropical storms, and sometimes they reach the level of typhoons. Typhoon Chata'an is the first major storm to hit us since Typhoon Paka directly hit Guam also in 1997.

There are a number of issues that always pertain to typhoon recovery, including power and water situations, and, of course, the vast majority of Guam is still without power. Those areas which have been powered up are the hospital, the two hospitals, the Guam Memorial Hospital and Naval Hospital, and the water system is basically inoperable at this time, so that those areas that are getting water are required to boil water if they want to use it for consumption, as opposed to just bathing or taking care of the bathroom facilities. This situation is likely to continue on for at least 2 to 3 more weeks.

It is important that as we try to learn the lessons of typhoon recovery, which are indeed painful lessons and lessons which I hope many of the Members of this body and the people they represent never have to undergo, they really have a capacity to strain human relations, have the capacity to generate feelings about maybe people are not pulling their share of the load.

But I am happy to report that the people of Guam in general are in great spirits. The people of Guam understand, as they have so often in the past, that at a time of a typhoon, the time of typhoon recovery is a time to pull together, a time to act together and a time to rebuild together, and the people of Guam will rebuild their island, will rebuild the utilities and the services which most other Americans take for granted on a day-to-day basis.

Chata'an, which is in Chamorro, means rainy day, means having a bad day, but indeed it was a bad day. Chata'an also had affected the Island of Chuuk in the Federated States of Micronesia, which is the area where the storms generate. At that time it was

still under 75 miles per hour so it was only called a tropical storm, but it caused a number of landslides there and killed over 40 people. So Chuuk in the Federated States of Micronesia has also suffered greatly, perhaps not as much in damage as the people of Guam have, but certainly more in the sense of human loss and the effect on families.

Both the Federated States of Micronesia, which is an independent nation in free association with the United States, as well as the Territory of Guam, will be fully eligible for FEMA. I thank Mr. Allbaugh's recognition of this in our phone call just a few minutes ago, indicating that he will make sure that Guam is treated fairly and that it will receive all the services it needs, just like any other American community, and that as a result of the special relationship with the Federated States of Micronesia, also the FSM will be afforded the same treatment.

Typhoon Ha Long, which was supposed to pass directly over Guam 2 days ago, fortunately passed about 50 miles south of Guam. The people of Guam today are, in the main, without power, are without water, and they continue to deal with their conditions in the spirit that has always sustained them for centuries, and that is understanding we are always at the mercy of natural events, but that it is our own spirit, our own intelligence and our own capacity to work together, to collaborate together, which will see us through.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mrs. EMERSON (at the request of Mr. ARMEY) for today on account of personal reasons.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. SHERMAN) to revise and extend their remarks and include extraneous material:

Mr. FILNER, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. TAYLOR of Mississippi, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:

Mr. JONES of North Carolina, for 5 minutes, July 15.

Mr. FOLEY, for 5 minutes, today.

Mr. NUSSLE, for 5 minutes, today.

### ADJOURNMENT

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 36 minutes a.m.), under its previous order, the House adjourned until Monday, July 15, 2002, at 12:30 p.m., for morning hour debates.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7874. A letter from the Acting Director, OSHA Directorate of Safety Standards, Department of Labor, transmitting the Department's "Major" final rule — Occupational Injury and Illness Recording and Reporting Requirements [Docket No. R-02A] (RIN: 1218-AC06) received July 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7875. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Malaysia (Transmittal No. 08-02), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

7876. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of India (Transmittal No. 10-02), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

7877. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of the Philippines (Transmittal No. 07-02), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

7878. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of Singapore (Transmittal No. 09-02), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

7879. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of Defense's proposed lease of defense articles to the Government of the Thailand (Transmittal No. 11-02), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

7880. A letter from the Director, International Cooperation, Department of Defense, transmitting copy of Transmittal No. 14-02 which informs of the intent to sign Amendment Number 1 to the Joint Strike Fighter Engineering and Manufacturing Development (EMD) Phase Framework Memorandum of Understanding (MOU) and the Supplement for Italy Participation under the JSF EMD Framework between the United States, Italy and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

7881. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 21-02 which informs the intent to sign the Fifth Amendment to the Arrow

Deployability Program (ADP) between the United States and Israel, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

7882. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 20-02 which informs of the intent to sign the MK48 Advanced Capability (ADCAP) Common Broadband Advanced Sonar System (CBASS) Heavyweight Torpedo Memorandum of Understanding (MOU) between the United States and Australia, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

7883. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the request for the Government of Egypt to cash flow finance a Letter of Offer and Acceptance (LOA) for the upgrade of six CH-47C CHINOOK helicopters to the newer CH-47D configuration, spare and repair parts, avionics equipment, publications and technical data, communications equipment, maintenance, personnel training and training equipment, U.S. Government Quality Assurance Team, contractor representatives, contractor engineering and technical support services, preparation of aircraft for shipment and other related elements of logistics support; to the Committee on International Relations.

7884. A letter from the Director, Defense Security Cooperation Agency, transmitting notification that during FY 2002, U.S. industry expects to present a Direct Commercial Contract to the Government of Israel (GOI) for the cash flow financing of up to three Group A Modified Gulfstream V Aircraft with associated spares, support, and training; to the Committee on International Relations.

7885. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: General Electric Company CF 6-6, CF6-45, and CF6-50 Series Turbofan Engines [Docket No. 96-ANE-41-AD; Amendment 39-12671; AD 2002-05-03] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7886. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: General Electric Company CF34-3A1 and -3B1 Series Turbofan Engines [Docket No. 99-NE-49-AD; Amendment 39-12670; AD 2002-05-02] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7887. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Boeing Model 737, 747, and 777 Series Airplanes [Docket No. 2000-NM-156-AD; Amendment 39-12254; AD 2001-11-11] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7888. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Boeing Model 747 Series Airplanes [Docket No. 98-NM-283-AD; Amendment 39-12248; AD 2001-11-06] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7889. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Boeing Model 737-600, -700, -700C, and -800 Series Airplanes [Docket No. 2001-NM-126-AD; Amendment 39-12251; AD 2001-09-51] (RIN: 2120-AA64) received June 17,

2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7890. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Boeing Model 737-600, -700, -700C, and -800 Series Airplanes [Docket No. 2001-NM-356-AD; Amendment 39-12679; AD 2002-06-03] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7891. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Rolls-Royce, plc. Models Tay 650-15 and 651-54 Turbofan Engines [Docket No. 2001-NE-02-AD; Amendment 39-12624; AD 2002-01-29] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7892. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: McDonnell Douglas Model DC-9-80 Series Airplanes and Model MD-88 Airplanes [Docket No. 98-NM-326-AD; Amendment 39-12163; AD 2001-06-16] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7893. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Eurocopter France Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350C, AS350D, AS350D1, AS355E, AS355F, AS355F1, AS355F2, AS355N, and EC130 B4 Helicopters [Docket No. 2002-SW-09-AD; Amendment 39-12681; AD 2002-03-52] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7894. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Airbus Model A330 and A340 Series Airplanes [Docket No. 2001-NM-135-AD; Amendment 39-12252; AD 2001-11-09] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7895. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Cirrus Design Corporation Models SR20 and SR22 Airplanes [Docket No. 2002-CE-06-AD; Amendment 39-12673; AD 2002-05-05] received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7896. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Honeywell International Inc. (formerly AlliedSignal Inc. and Textron Lycoming) LTS101 Series Turbo-shaft and LTP101 Series Turboprop Engines [Docket No. 2000-NE-14-AD; Amendment 39-12676; AD 2002-03-09 R1] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7897. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Pratt & Whitney JT8D Series Turbofan Engines [Docket No. 98-ANE-71-AD; Amendment 39-12353; AD 2001-15-18] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7898. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney PW4000 Series Turbofan Engines [Docket No. 2000-NE-25-AD; Amendment 39-12448; AD 2001-20-02] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7899. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0100 Series Airplanes [Docket No. 2001-NM-21-AD; Amendment 39-12453; AD 2001-20-05] (RIN: 2120-AA64) received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7900. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30303; Amdt. No. 3000] received June 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7901. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's "Major" final rule — Extension of Expiration Date for the Respiratory System Listings (RIN: 0960-AF76) received July 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure, H.R. 3479. A bill to expand aviation capacity in the Chicago area; with an amendment (Rept. 107-568). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3214. A bill to amend the charter of the AMVETS organization (Rept. 107-569). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3838. A bill to amend the charter of the Veterans of Foreign Wars of the United States organization to make members of the armed forces who receive special pay for duty subject to hostile fire or imminent danger eligible for membership in the organization, and for other purposes (Rept. 107-570). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3988. A bill to amend title 36, United States Code, to clarify the requirements for eligibility in the American Legion (Rept. 107-571). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 5005. The Committees on Agriculture, Appropriations, Armed Services, Energy and Commerce, Financial Services, Government Reform, Intelligence (Permanent Select), International Relations, the Judiciary, Science, Transportation and Infrastructure and Ways and Means discharged.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. JACKSON-LEE of Texas:

H.R. 5110. A bill to provide for improved pension plan security, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, Financial Services, the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. SIMPSON, and Mr. REYES):

H.R. 5111. A bill to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940; to the Committee on Veterans' Affairs.

By Mr. BALDACCI (for himself, Mr. DOYLE, Mr. GREEN of Texas, Mr. FRANK, Mr. ROHRBACHER, and Mr. MCGOVERN):

H.R. 5112. A bill to authorize the Secretary of Veterans Affairs to provide grants to States for programs to financially assist veterans who experience certain emergencies; to the Committee on Veterans' Affairs.

By Ms. DUNN (for herself, Mrs. CUBIN, Mr. DICKS, Mr. NETHERCUTT, Mr. INSLEE, Mr. McDERMOTT, Mr. LARSEN of Washington, Mr. HASTINGS of Washington, Mr. SMITH of Washington, Mr. BAIRD, Mr. OTTER, Mr. WALDEN of Oregon, and Mr. SIMPSON):

H.R. 5113. A bill to provide for the establishment of demonstration programs to address the shortages of health care professionals in rural areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas:

H.R. 5114. A bill to make emergency supplemental appropriations for fiscal year 2002 to provide relief from damages caused by flooding in the Guadalupe River valley in 2002; to the Committee on Appropriations.

By Mrs. CHRISTENSEN:

H. Con. Res. 440. Concurrent resolution expressing the sense of the Congress that schools in the United States should honor the contributions of individuals from the commonwealths, territories, and possessions of the United States by including such contributions in the teaching of United States history; to the Committee on Education and the Workforce.

By Mr. MARKEY (for himself, Mr. FRANK, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. MEEHAN, Mr. DELAHUNT, Mr. TIERNEY, Mr. MCGOVERN, Mr. CAPUANO, and Mr. LYNCH):

H. Res. 482. A resolution honoring Ted Williams and extending the condolences of the House of Representatives on his death; to the Committee on Government Reform.

#### MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

322. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resolution memorializing the United States Congress to adopt a Joint Resolution in its current session approving Yucca Mountain for development as the nation's permanent geologic repository; to the Committee on Energy and Commerce.

323. Also, a memorial of the Senate of the State of Connecticut, relative to Senate Res-

olution 4 memorializing the United States Congress to pass a Joint Resolution this year approving Yucca Mountain for development as the nation's permanent geologic repository; to the Committee on Energy and Commerce.

324. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 605 memorializing the United States Congress to urge the Federal Communications Commission to grant a permanent waiver of the 11-digit dialing mandate in the 847 region and to change its policy on overlay area codes; to the Committee on Energy and Commerce.

325. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 835 memorializing the United States Congress to commit to a transportation policy that includes federal high-speed and regional rail policy programs; to the Committee on Transportation and Infrastructure.

326. Also, a memorial of the Legislature of the State of Illinois, relative to House Joint Resolution No. 54 memorializing the United States Congress to authorize funding to construct 1,200-foot locks on the Upper Mississippi and Illinois River System; to the Committee on Transportation and Infrastructure.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 257: Mr. DEAL of Georgia.  
H.R. 267: Mr. PICKERING and Mr. JONES of North Carolina.  
H.R. 303: Mr. FATTAH.  
H.R. 602: Mr. LAHOOD.  
H.R. 792: Mr. POMEROY.  
H.R. 912: Mr. CALVERT and Mr. GILCREST.  
H.R. 951: Mr. HERGER and Mr. HULSHOF.  
H.R. 984: Mr. SULLIVAN.  
H.R. 1021: Mr. PAUL.  
H.R. 1143: Mr. COYNE.  
H.R. 1382: Mr. GEORGE MILLER of California.

H.R. 1436: Mr. BOSWELL.  
H.R. 1520: Mr. RODRIGUEZ.  
H.R. 1577: Mr. BRADY of Pennsylvania, Mr. UDALL of Colorado, and Mr. NUSSLE.  
H.R. 1839: Mr. ROSS.  
H.R. 1935: Mrs. CAPITO, Mr. BACA, Ms. LEE, Mr. RAHALL, and Mr. ABERCROMBIE.  
H.R. 2117: Mr. ISSA and Mr. WU.  
H.R. 2148: Ms. MILLENDER-McDONALD.  
H.R. 2163: Mr. BALDACCI.  
H.R. 2219: Ms. MILLENDER-McDONALD, Mr. KUCINICH, Mr. PHELPS, Ms. LEE, Mrs. DAVIS of California, Mrs. MINK of Hawaii, Mr. CAPUANO, and Mr. ETHERIDGE.  
H.R. 2220: Mr. DICKS and Mr. INSLEE.  
H.R. 2335: Mrs. NORTHUP.  
H.R. 2373: Mr. CANNON and Mr. CUNNINGHAM.

H.R. 2724: Mr. THORNBERRY.  
H.R. 2874: Mr. MENENDEZ and Mr. LARSEN of Washington.

H.R. 3006: Mr. DEAL of Georgia.  
H.R. 3058: Mr. STEARNS.  
H.R. 3214: Mr. FORBES and Mr. GRAHAM.  
H.R. 3278: Mr. SESSIONS and Mr. McDERMOTT.

H.R. 3320: Mr. BARTLETT of Maryland, Mr. AKIN, and Mr. NETHERCUTT.  
H.R. 3413: Mr. McNULTY.  
H.R. 3430: Mr. PICKERING.  
H.R. 3431: Mr. LAHOOD, Mr. McDERMOTT, Mr. McINTYRE, Mr. SESSIONS, and Mr. JONES of North Carolina.

H.R. 3741: Mr. FORD and Mr. PAUL.  
H.R. 3814: Mr. BENTSEN, Mrs. MORELLA, Ms. GRANGER, Mr. EHRLICH, and Ms. MCCOLLUM.



H.R. 3897: Mr. SNYDER.  
H.R. 3916: Mr. LUTHER.  
H.R. 3992: Mr. MCGOVERN.  
H.R. 4018: Mr. OLVER and Mr. BOUCHER.  
H.R. 4099: Mr. SIMPSON.  
H.R. 4561: Mr. PENCE, Mr. KENNEDY of Minnesota, Ms. BALDWIN, Mr. RANGEL, and Mr. HEFLEY.  
H.R. 4643: Ms. MCCOLLUM and Ms. LEE.  
H.R. 4707: Ms. BERKLEY, Ms. MCCOLLUM, and Ms. STARK.  
H.R. 4757: Mr. SHAYS.  
H.R. 4783: Mr. PICKERING.  
H.R. 4843: Mr. EVANS, Mr. MCINTYRE, Mr. KIRK, Ms. MCCOLLUM, and Mr. SMITH of Michigan.  
H.R. 4866: Mr. HORN and Mr. SHERMAN.  
H.R. 4887: Mr. BACA.  
H.R. 4920: Mr. JACKSON of Illinois.  
H.R. 4965: Mr. LATOURETTE, Mr. JENKINS, Mr. SMITH of Texas, Mr. OXLEY, Mr. MICA, Mr. CALVERT, Mr. COBLE, Mr. BRADY of

Texas, Mr. PETERSON of Pennsylvania, Mr. EHLERS, and Mr. HOEKSTRA.  
H.R. 4979: Mr. WATKINS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEACH, and Ms. LOFGREN.  
H.R. 5005: Mr. PENCE, Mr. BISHOP, and Mr. VITTER.  
H.R. 5033: Mr. LATOURETTE, Mr. McKEON, Mr. COOKSEY, Mr. SMITH of Texas, and Mr. GREEN of Wisconsin.  
H.R. 5048: Mr. OWENS, Mr. SANDERS, Mr. BONIOR, and Mr. SCOTT.  
H.R. 5078: Mr. BAIRD.  
H.R. 5107: Mr. WU, Mr. FARR of California, Mr. DELAHUNT, Mr. JACKSON of Illinois, Mr. SERRANO, Mr. TOWNS, Mr. PAYNE, Mr. MURTHA, Mr. OLVER, Mr. MOLLOHAN, Mr. BISHOP, and Mr. UDALL of New Mexico.  
H.J. Res. 23: Mr. BARR of Georgia.  
H.J. Res. 104: Mr. WATKINS.  
H. Con. Res. 33: Mr. KELLER.  
H. Con. Res. 38: Ms. BROWN of Florida.

H. Con. Res. 180: Mr. LUTHER.  
H. Con. Res. 345: Ms. MILLENDER-MCDONALD.  
H. Con. Res. 382: Mr. ROTHMAN.  
H. Res. 87: Mr. UDALL of New Mexico.  
H. Res. 448: Mr. ETHERIDGE, Mr. BROWN of South Carolina, Mr. BACHUS, Mr. FROST, Mr. FOLEY, Mr. GOODLATTE, Ms. MILLENDER-MCDONALD, and Mr. OXLEY.

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DISCHARGE PETITIONS—  
ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 7 by Ms. THURMAN on House Resolution 425: Jay Inslee, Howard L. Berman, John Lewis, and Robert Wexler.